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ISSUES AFFECTING FEDERAL, STATE, AND LOCAL EFFORTS TO COMBAT DRUG TRAFFICKING AND DRUG ABUSE

A REPORT

OF THE

SELECT COMMITTEE ON NARCOTICS
ABUSE AND CONTROL

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INTRODUCTION

During the 98th Congress, it was obvious to the House Select Committee on Narcotics Abuse and Control membership that the issues of drug abuse and trafficking had grown more severe, despite increased federal involvement in detection, interdiction and eradication programs.

What was most apparent to the Members was the dichotomy between the local perspective on the drug problem and the federal response to the local needs. The local law enforcement, treatment and prevention communities were expressing frustration, doubt and even anger with the federal government's strategy and programs to address the issues of drug abuse and trafficking; at the same time, the federal government representatives were expressing satisfaction with the job that was being done on the federal level.

The Select Committee decided to visit five locations in the nation which were suffering from different elements of the abuse and trafficking problem, but which had one thing in common: the need for increased federal assistance to successfully address their problems. As the Select Committee completed hearings in these five locations, a pattern began to emerge indicating that the local and state perspective was markedly different from the federal perspective, and that action must be taken immediately to ensure that the state and local agencies and organizations did not have to bear the burdens of treatment, education, detection, interdiction and eradication alone.

The Select Committee also provided the Federal agencies involved in the narcotics area with an opportunity to inform the Congress about the Federal strategy and Federal policies affecting State and local agencies. In a series of hearings during the 98th Congress, the Select Committee on Narcotics Abuse and Control gathered data, heard extensive testimony and recommended actions that could be taken to alleviate the burdens being borne by the States and local governments in an effort to stem the tide of the international supply of narcotics which was adversely affecting the Nation.

This report examines the findings and recommendations gathered from these hearings, and proposes concrete actions that must be taken if the Federal strategy is to work. In hearings on law enforcement issues, and in hearings on treatment, education and prevention issues, the Select Committee heard that the Federal government was not living up to its responsibility as the primary line of defense between the influx of internationally cultivated and manufactured narcotics and the local community. The Select Committee also heard that the States and local communities were having a difficult time finding the resources to bring to justice the traffickers, cultivators and manufacturers of the narcotics that had turned the illicit narcotics industry into a $90 billion per year business, placing its sales ahead of Exxon Corporation—America's largest selling corporation.

By addressing some of the issues brought before the Select Committee in the hearings and law enforcement conferences conducted during the 98th Congress, this report presents the State and local perspective on the narcotics problem. The report also provides the Federal response to the local perspective and presents an analysis of the effectiveness of this federal strategy.

The report is divided into three sections: a summary of the Select Committee's April 10, 1984 hearing, and analysis of current narcotics law enforcement issues, including a summary of the September 18, 1984 Law Enforcement Conference in Washington, and an evaluation of issues confronting treatment and education communities.

Complementing this report are other Select Committee reports and studies which address State and local narcotics issues. The report, "Efficacy of the Federal Drug Abuse Control Strategy: State and Local Perspectives" (SCNAC Publication 98-1-10) and the "Survey of Sheriffs" in the report "Cultivation and Eradication of Illicit Domestic Marihuana" (SCNAC 98-1-9) will be helpful in a total picture of state and local concerns.

Appendices A and B are surveys the Select Committee sent to local and state law enforcement organizations in conjunction with the South Florida and the national law enforcement conferences. Survey results are tabulated in these appendices.

THE APRIL 10, 1984, HEARING: FOLLOW UP TO 1983 FIELD HEARINGS

INTRODUCTION

On April 10, 1984, the Select Committee on Narcotics Abuse and Control heard testimony from representatives from five locations across the nation—New York City, northern California, Honolulu, Hawaii, south Florida and the Gulf area of Texas. The Select Committee invited these individuals to Washington to provide the Committee with an update on the narcotics situation in these areas which had been the sites of five field hearings by the Select Committee in 1983. The Members of the Select Committee in whose districts these field hearings had been held, were called upon to introduce the witnesses, as well as summarize the findings and conclusions resulting from these hearings. The Members questioned the witnesses, and asked for specific recommendations from the state and local witnesses who were testifying.

Members in attendance at the hearing on April 10 were Chairman Charles B. Rangel, Ranking Minority Member Benjamin A. Gilman, Representative Sam B. Hall, Representative Gene Chappie, Representative Daniel Akaka, Representative Tom Lewis and Representative Solomon Ortiz.

The following panels provided the Select Committee with a status report on the narcotics situation from a State and local perspective:

New York City.—Congressman Charles B. Rangel; The Honorable Benjamin Ward (Police Commissioner of New York City); Mr. Julio Martinez, Director, Division of Substance Abuse Services, Office of Alcoholism and Substance Abuse, New York State; and the Honorable Sterling Johnson, Special Narcotics Prosecutor, City of New York.

Northern California.—Congressman Gene Chappie; Mr. Bruce Conrad, Assistant Director, U.S. Bureau of Land Management; Mr. Randy Rossi, Campaign Against Marihuana Planting (CAMP), California Department of Justice; Mr. Zane Smith, Regional Forester, U.S. Forest Service.

Honolulu, Hawaii.—Congressman Daniel Akaka; Mr. Michael Lilly, First Deputy Attorney General, State of Hawaii; and Lt. Charles Wakita, Vice Commander, Hawaii County Police Department.

South Florida.—Congressman Tom Lewis; Sheriff Jim Holt, Martin County, Florida; Lt. John Murphy, Chief of the Narcotics Division, Sheriff's Office, Martin County; and Mr. Gary Frechette, Program Specialist, Department of School Board Safety, Palm Beach County, Florida.

Texas Gulf Region.—Congressman Solomon Ortiz; Mr. Andres Vega, Chief of Police, Brownsville, Texas; and Mr.

David Pollard, Director, Kleberg County Alcoholism Office, Kingsville, Texas.

At the Select Committee's field hearings in 1983, several important findings were reported:

1. The cooperation between the Federal Government and the State and local agencies involved in narcotics issues leave much to be desired. In New York, Redding, California, West Palm Beach and Corpus Christi, the Committee heard that the Drug Enforcement Administration and other Federal agencies were not providing the support and cooperation necessary for an effective drug strategy.

New York.—Witnesses told the Select Committee that rehabilitation funds had been severely reduced, due to the establishment of the Block Grant system.

Redding, California.—The Select Committee heard testimony from many witnesses involved in the eradication of the domestically cultivated marihuana crop. The testimony revealed that the Drug Enforcement Administration's program for marihuana eradication was insufficient, and the local law enforcement officials and prosecutors were simply unable to bear the costs of prosecution in marihuana cases.

West Palm Beach, Florida.—The Select Committee learned that despite the presence of the South Florida Task Force, put in place by the Vice President to improve the interdiction capabilities of State and local law enforcement officials, cocaine was more available than ever. Local law enforcement officials told the Committee that they had never been contacted by the Federal Task Force, and that no state of cooperation existed among all the agencies involved in the interdiction efforts.

Corpus Christi, Texas.—Witnesses testified that local law enforcement agencies alone could not effectively halt the increasing drug trafficking in the Gulf Coast area. Despite promises of Federal assistance and cooperation, the Federal agencies had not provided the locals with adequate assistance and funding.

Honolulu, Hawaii.—The Committee met with several local and State officials who expressed concern about the growing problem of narcotics transshipment and the shipment of narcotics through the U.S. Mails.

2. The availability and purity of narcotics are increasing despite efforts to increase interdiction and law enforcement capabilities.

In New York, heroin and cocaine purity and availability have increased dramatically, after a period of relative reduction of supplies.

Northern California, according to several witnesses, is producing record crops of marihuana, and the potency of the sensimilla variety of this marihuana has commanded a high price in the illegal marketplace.

There is an excess of cocaine in the United States, and the majority of this substance is shipped to South Florida. Because of the large supply, cocaine prices have dropped, and cocaine has been made accessible to new segments of the American population.

Mexican heroin has again become a problem, and the Gulf Coast area is feeling the effects of increased shipment of heroin over the border. The increased law enforcement capabilities in South Florida have also encouraged smugglers to find a new route for their cocaine, and because of its proximity to the water source, the Gulf Coast area has become a natural alternative to Florida for cocaine trafficking.

Honolulu is experiencing the effects of multi-drug availability—particularly the availability of heroin from Asia, and cocaine from the mainland. Hawaii's marihuana crop yields a rich harvest, and that crop has surpassed pineapples as Hawaii's number one agricultural export.

3. Public awareness about the issues of narcotics abuse and trafficking could be a very effective tool in stopping rampant drug abuse among Americans, but very little has been done to educate students, parents and communities about the dangers of—and alternatives to—drug use.

In the Northeast, among other places, the learning ability of students is impeded by drug abuse. Discipline problems, absenteeism and a high drop-out rate are the results of drug use and inadequate drug education programs for young people.

In South Florida, and Corpus Christi, public officials stated that there was no state-mandated drug education program in the schools. While this problem is not unique to South Florida and Corpus Christi, the lack of drug education programs in these locations is considered extemely critical.

Redding, California residents expressed a need for increased public awareness about the dangers of marihuana use and trafficking. Light sentences, huge profits and the arrogance of the marihuana growers were sending signals to the community that cultivation and use of marihuana were socially acceptable.

In an effort to provide State and local representatives with an opportunity to make specific recommendations and suggestions to the Select Committee, Chairman Rangel invited these witnesses to Washington. During the 1983 field hearings, witnesses expressed concern that after the hearings were completed, their thoughts and ideas would not be acted upon, and would be a low priority of legislators in Washington. Chairman Rangel assured the State and local representatives that their needs would be made known in Washington, and the April 10th, 1984 hearing provided a fitting forum for the airing of these views.

NEW YORK CITY PANEL

Chairman Charles B. Rangel
Honorable Benjamin Ward, Commissioner, New York City Police Department

Julio Martinez, Director, New York State Division of Substance Abuse Services
Honorable Sterling Johnson, Jr., Special Narcotics Prosecutor

Since the 1983 field hearing in New York City, several important law enforcement initiatives had been put in place by the New York City Police Department aimed at closing down the major areas of drug trafficking in New York City.

Congressman Rangel opened the hearing with an overview of the Committee's findings from the 1983 hearing including the following statistics:

> Emergency room admissions for drug abuse in New York City have climbed steadily.
>
> While there were 12,000 arrests for drug offense in New York City—not including marihuana offenses—only 55 percent of these resulted in convictions, and only one fourth of those convicted received a prison sentence.
>
> Two thirds of the prison inmates were drug abusers or addicts, and 20 percent of the prison population are heroin addicts.

Chairman Rangel requested that the local witnesses come forth with suggestions for improving the working relationship between the Federal Government and local agencies, and requested that the local agencies continue to apprise the Select Committee of their concerns and needs.

New York City Police Commissioner Benjamin Ward told the Select Committee that ". . . New York, as well as other cities, does not possess the capability of combatting the availability of illegal drugs . . ." After a period of a relative lessening in the availability on the streets of New York City, the Commissioner predicted that heroin will be on the increase again due to increased supplies. "Heroin, cocaine, marihuana and pills are readily available all over New York City," Commissioner Ward stated. In response to the growing tragedy of drug trafficking and drug abuse, the New York City Police Department put into operation three separate law enforcement initiatives aimed at returning "the streets to the people of the City of New York" said Commissioner Ward. The three initiatives were:

> Operation Pressure Point I was convened on January 19, 1984 on the lower East Side of Manhattan. Undercover agents were sent to the Lower East Side to make drug buys and conduct observations. After the buys, the sellers were arrested and a uniformed police officer was posted at each location in order to prevent re-occupation by other drug dealers. Operation Pressure Point I has resulted in over 3,860 arrests, and the area has experienced a 51 percent drop in robberies and a 35 percent drop in burglaries.
>
> Operation Pressure Point II was undertaken beginning on March 1, 1984 in the West Harlem area of Manhattan, and has yielded 593 arrests to date. As a result of Operation Pressure Point II, a visible reduction in street trafficking has been noticed.
>
> Operation Close Down was put in place in early April, and is aimed at closing down the smoke shops along Wilson Avenue in Brooklyn.

Commissioner Ward expressed concern about the inadequacy of Federal assistance in helping New York meet the challenge of narcotics control. The Commissioner indicated that due to the low level of co-operation between New York City and the Federal Government, especially DEA, he was considering withdrawing New

York City personnel from the "Federal Task Force". "I have 90 detectives in there, and they (DEA) have 30. I am contributing three times the manpower that the DEA is contributing to what it alleged to be a Federal Task Force Force. I am seriously considering taking my 90 detectives out of the Task Force and returning them to fighting quality of life crimes on the street with the kind of success that I was able to achieve in the lower East side and in Harlem . . . I don't understand why New York City should pick up the costs of 90 detectives . . ." said Commissioner Ward.

Julio Martinez, Director of the New York State Division of Substance Abuse Services told the Select Committee that despite the increasing supplies of narcotics available in the Northeast, particularly New York City, the Federal commitment to New York has dwindled. Cuts in treatment, rehabilitation and education have exacerbated the already serious narcotics problem.

Mr. Martinez provided the Committee with statistics illustrating the severity of the problem in New York.

> The drug abuse problem in New York has tripled since the early 1980's.
>
> The Federal share of dollars for drug abuse to New York has dropped from $31 million in 1981 to $19 million in 1983 and 1984. This does not include the loss of federal money in other social service areas including food stamps, Medicaid and entitlement programs.
>
> New York State appropriates $85.3 million for drug abuse treatment vs. the Federal appropriation of $14.8 million.
>
> There were 530 narcotics related deaths in New York City in 1983, representing an increase of 115% over the 1978 figure of 246 deaths. For the past three years, the number of drug-related deaths has remained above 500, and the 1983 figures are the highest since 1974.
>
> Treatment programs in New York State are serving 40,633 people. There are 13,830 in prevention and education programs.

Mr. Martinez expressed frustration at the Federal budget cuts, and also at the long waiting list for potential treatment clients. As a result of police operations, such as Operation Pressure Point, addicts seek treatment as an alternative to prison. "Well let me say the inn is closed," stated Martinez, referring to the inability of the treatment/rehabilitation community in New York State to accept any more participants.

Special Narcotics Prosecutor for the City of New York, Sterling Johnson, Jr. commended the New York City Police Department for Operation Pressure Point in keeping the pressure on drug sellers in New York. Stating that the problem of cocaine availability is a severe one, Johnson told the Select Committee that "Coke prices are still declining and purity is rising." In January 1983 a kilo of cocaine sold for as much as $60,000; in September, 1983, the price had dropped to $18,000 per kilo.

Special Prosecutor Johnson re-enforced the need for a strong Federal commitment if New York City is to be successful in controlling narcotic trafficking and abuse. He also suggested that a "drug czar" be appointed to oversee the implementation of a national drug strategy.

CALIFORNIA PANEL

Congressman Gene Chappie
Randy Rossi, Director of the Campaign Against Marihuana Planting, California Department of Justice

Zane Smith, Jr., Regional Forester, Pacific Southwest Region, Forest Service, United States Department of Agriculture

Bruce Conrad, Deputy Director, Bureau of Land Management, California State Office, Department of the Interior

Congressman Chappie told the Select Committee on Narcotics Abuse and Control that marihuana cultivation in California is big business, with an estimated value for a single plant of marihuana at $1,200 to $4,000. Congressman Chappie expressed his concern that illegal marihuana cultivation is surpassing the nation's top cash crops in revenues, and is costing local governments significant amounts of time and law enforcement funding to control.

Marihuana cultivation is detrimental to the environment, since the cultivators apply herbicides, rodenticides and fertilizers to their crops without regard to the effects that these chemicals have on the ecosystem, particularly in the National Forests where a large percentage of the marihuana is grown. Six recent fires in Northern California, started by marihuana cultivators in an effort to clear the underbrush, also illustrate the potential dangers facing the forests and wildlife in California.

Randy Rossi, Director of CAMP, told the Committee that the California Bureau of Narcotics and the Drug Enforcement Administration developed training courses to provide local jurisdictions with the expertise necessary to eradicate commercial marihuana growing operations. The techniques used by the growers include camoflaging the plants, greenhouses for indoor growing, and the use of booby traps to keep intruders away from the marihuana plants.

In addition to the environmental damages that marihuana cultivation creates in California, the illegal crop breeds violence and lawlessness among the cultivators. During the 1982 growing season, reported Rossi, 600 firearms were confiscated. 77 percent of the cultivators were armed or employed the use of booby traps. More than 50 percent of the cultivations discovered by CAMP occurred on public lands or on private land without the consent of the owners. Witnesses indicated that there are 15 homicides per week in Northern California directly related to the cultivation of marihuana, creating extraordinary challenges for local law enforcement officials.

The CAMP Program, which conducted 524 marihuana raids last year seized 270,000 pounds of marihuana. CAMP's basic strength lies in the fact that several Federal, state and local agencies have been working together with a unified plan for action against cultivation. The Federal Agencies of the Bureau of Land Management, the U.S. Forest Service, the Drug Enforcement Administration and the California agencies of the Bureau of Narcotics Enforcement, the Office of Emergency Services, the California Department of Forestry and the Western States Information Network have contributed significantly to the activities and mission of CAMP. For the 1984 cultivation season, CAMP has been expanded to include 36 counties which have expressed an interest in participating in this year's CAMP program.

In addition to the actual eradication activities undertaken by CAMP, Mr. Rossi told the Committee that a program of deterrence and public awareness was underway. Through programs such as the "Butte County Growers Awareness Program" helicopters routinely patrol cultivation areas in an effort to deter and prevent the cultivation of marihuana on public and private lands.

Despite the successes that CAMP has enjoyed over the past years, the witnesses told the Committee that CAMP was facing extreme difficulties this year. The helicopters necessary for the eradication effort are not available to CAMP this year since the California National Guard helicopters have been committed to the summer Olympics in Los Angeles, as well as to the political convention in late summer, 1984. CAMP has had a satisfactory working relationship with the California National Guard, and despite this conflict with the commitment of resources, CAMP is expected to continue its working relationship with the Guard.

The problem of finding alternative sources for helicopters, or funding for the leasing of private helicopters has been the subject of several meetings between CAMP and Federal agencies. The Department of Defense, Rossi reported, offered assistance by way of the loan of seven HUEY helicopters. However, "the problem is the maintenance costs, the fuel costs, and the piloting costs and the insurance costs would be on the order of $1.5 million," said Rossi. "If we had the additional funding, it would be fine."

Mr. Rossi informed the Select Committee that California Attorney General Van de Kamp and Special White House Assistant for Narcotics, Dr. Carlton Turner, both responded positively to California's request for assistance, yet no financial assistance was promised. Another factor complicating the loan of military aircraft to California by the Department of Defense is the limitations imposed on the military by the Posse Comitatus Act which prohibits the use of military assistance in civilian endeavors.

Zane Smith, Regional Forester with the U.S. Forest Service, expressed concern over the continuing unauthorized use of Federal lands by marihuana growers, and explained the working relationship between CAMP and the Forest Service to the Select Committee. During the 1982 growing season, the Forest Service supplemented the efforts of State and local law enforcement agencies by providing 2,400 person days to the California eradication effort. In that same year, more than $290,000 of co-operative law enforcement funds were provided through the Forest Service to local sheriffs. As a result of Public Law 92-82, the PLT (Payment in Lieu of Taxes) Program enables the Forest Service to contribute funding to local sheriffs for law enforcement activities which may take place in National Forests. The Forest Service receives approximately $5 million per year, of which the State of California receives approximately $1 million. Thirty-six separate agreements were made with sheriffs in California for co-operative law enforcement funds this year.

During 1982, the Forest Service confiscated 55,000 plants, and 400 illicit operations were discovered. In 1983, the number of seizures increased to 64,000 plants at 500 sites. One hundred thirty eight arrests were made in fourteen counties.

1984 plans include expansion of the Forest Service's program to involve the Forest Service in detection and eradication in 37 counties, from a previous high of 14 counties.

Zane Smith told the Select Committee that a new project was underway called "The New River Project" in the Shasta-Trinity National Forest where shooting, arson and violence have virtually forced the Forest Service away from managing that tract of land in Northern California. As part of the New River Project eight Forest Service officers and two County Deputy Sheriffs are patrolling the project area in an effort to discourage the illegal use of the lands. The project is expected to last approximately three years, at a cost of $1.6 million.

Bruce Conrad, Deputy Director, Bureau of Land Management's California State Office re-affirmed the importance of the CAMP program, and told the Select Committee that "the growers not only felt the CAMP effort," but also the impact of "the (Select Committee's 1983 hearings) in Redding . . . and I think that they are going to feel quite an impact with an increased support this year."

When asked about the BLM's experimentation with dye markers and odorants for use on marihuana plants, Conrad said that his agency had been working with the State Police in Arkansas to develop a non-toxic dye that contains deer repellent and "smells like rotten eggs." This dye makes the plants "virtually unsmokable. It kills the plant, but yet it doesn't yield a toxic effect." Conrad added that CAMP has plans to test this dye if such an action is approved by the State of California.

The panel of witnesses from California reiterated the need for increased resources for the CAMP program which is considered one of the most successful examples of Federal, State and local cooperation in dealing with the problem of narcotics. Members of the Select Committee assured the panel that every effort would be made to secure assistance from the Federal Government for the CAMP program to carry out its important work.

HAWAIIAN PANEL

Congressman Daniel Akaka
Michael Lilly, First Deputy Attorney General of the State of Hawaii
Lt. Charles Wakita, Commanding Officer in Charge of the Vice Section, Hawaii County Police Department

Congressman Akaka opened this section of the hearing with an update on the narcotics situation in Hawaii, emphasizing the importance of two recent initiatives—Operation Pele and Operation Green Harvest.

Federal, State and local law enforcement agencies co-ordinated their efforts to eliminate the use of the U.S. Postal System for mailing marihuana from Hawaii to the mainland during Operation Pele. Operation Pele involved two phases: the first was an intelligence gathering phase and the second was an investigative phase during which time cases were being built to bring to the Grand Jury. The U.S. Mails, according to Hawaiian Law Enforcement officials, is the largest channel for smuggling drugs from Hawaii to the mainland.

During the course of Operation Pele, Post Offices on the Island of Hawaii (the "Big Island") were instructed to isolate packages which were thought to contain narcotics. Federal search warrants were issued, and the packages were examined. In one Post Office, eighty percent of the packages leaving for the mainland were found to contain drugs. In another instance, 132 packages were set aside for inspection, and every one of them were found to contain narcotics.

Operation Green Harvest utilized Federal, State and local authorities to eradicate marihuana. During this operation, National Guard helicopters were used for the eradication program, and the cooperation between the DEA and the Hawaii County Police Department made Operation Green Harvest a success.

Mr. Lilly, the First Deputy Attorney General of the State of Hawaii told the Select Committee that narcotics cannot be considered a local problem, but must be viewed in an international context. Marihuana is considered to be the number one drug problem in Hawaii, and that State is experiencing difficulty in destroying a significant portion of the marihuana grown there. In 1983, approximately 636,000 pounds of marihuana were seized, representing about 10-12 percent of the State's total crop. In previous years, Hawaiian law enforcement was able to seize up to 20 percent of the total crop.

Hawaiian marihuana commands a high price on the illegal market, bringing in $4,500 a pound. Because of its tremendous profit, Hawaiian grown marihuana is protected vigorously by life-threatening booby traps and firearms. Mr. Lilly demonstrated to the Committee the workings of a booby trap recently seized by law enforcement officials after an attempted raid on a marihuana field. The trap consisted of two trip wires hooked up to a 20 gauge shotgun shell which was activated when the wires were tripped. Murders are the common result of vigilant guarding of the marihuana fields.

Hawaiian officials had been pleased with the effectiveness of the Hawaii Narcotics State Wide Task Force which was disbanded in 1982. The Drug Enforcement Administration, the U.S. Attorney's Office, Mr. Lilly's office, the Coast Guard, County Police Departments, the FBI, Naval Investigations Service and the Army CID joined together to establish this Task Force which pooled resources to attack the problem of drugs and marihuana cultivation in Hawaii.

Despite the success of the Task Force, said Mr. Lilly, it was disbanded because its informal nature did not fit into the Federal Government's strategy. Lilly stated that "The national level yanked it because it wasn't as I understand, it wasn't an official Task Force. Didn't fit the definition of an official Task Force. . . . It's unfortunate that DEA pulled their support because the Task Force fell apart as a result." [1]

The importance of the Western States Information Network was stressed by Michael Lilly, and he urged that the Congress continue appropriating funding for this organization which provides intelligence and information to the Western states in their efforts to detect and interdict narcotics.

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[1] As of September, 1984, both the House and the Senate were urging the recreation of the Hawaiian Task Force and both Houses added language to this effect in respective versions of the Commerce, Justice, State Appropriation bills.

Lilly's office was responsible for 1,300 drug-related arrests since 1981 and the confiscation of over $200 million worth of narcotics and property from the dealers and traffickers.

Hawaii is in danger of becoming a major heroin transshipment point, particularly for Asian heroin. The shortage of law enforcement personnel at Hawaiian airports contributes to the success that traffickers have had in smuggling narcotics in baggage and in the commercial aircraft. The other Hawaiian islands are prime smuggling locations, and airport monitoring there is insufficient.

Other narcotic problems in Hawaii include the increase in cocaine trafficking, and the proliferation of look alike drugs and drug paraphernalia. There have been reports of coca cultivation in Hawaii, a development which worries law enforcement officials.

Lilly said that the "head shops" which promote and sell drug paraphernalia have significantly contributed to the narcotics problem, particularly among teenagers. ". . . if the kids perceive that cocaine use is a joke out in the community, then it's okay. It's a funny thing; it's not something that's really deadly serious."

Lt. Wakita of the Hawaii County Police Department reported to the Select Committee that his Police Department is facing some difficulties in detecting and eradicating the marihuana grown in his county. With nine investigators and two supervisors, his department has come to depend upon the helicopter as the most effective tool in marihuana eradication efforts. Since 1978, regular missions have been undertaken to eradicate marihuana. As a result of some effective eradication efforts, cultivators have begun to seek more remote areas for cultivation, and have been successful in eluding the routine patrols.

Lt. Wakita provided the Committee with the results of Operation Pele during which time more than one thousand packages were intercepted, 441 search warrants were issued, and seven hundred pounds of high grade marihuana was seized. The marihuana was estimated to be worth $1.3 million. During Operation Pele, an estimated $375,000 of incoming drugs was seized as well as 45 vehicles valued at $170,000 and $14,000 in cash was also seized.

A new and disturbing trend was emerging in the marihuana business, Wakita said. Marihuana was being traded for cocaine instead of cash; "That's why we have so much cocaine coming into our county."

The Select Committee expressed interest in the progress of Operation Wilt, an eradication program which utilized a specially designed diesel oil emulsion to kill the marihuana plants. The emulsion was being used on one quarter of the cane fields in Hawaii County, and the advantage of this diesel oil emulsion was that it did not harm the cane while destroying, within hours, the marihuana plants. With its hundred percent effectiveness rate, the diesel oil emulsion proved cost efficient as well. When sprayed from a special boom in a Hughes 500 D helicopter, the diesel oil emulsion costs $120 per hundred gallons and $500 per hour in helicopter time.

The Select Committee encouraged the continued use of this alternative method of eradication since paraquat was not being used in Hawaii, and since the emulsion method was far less time consuming than manual eradication.

SOUTH FLORIDA PANEL

Congressman Tom Lewis
Jim Holt, Sheriff of Martin County, Florida
Lieutenant John Murphy, Chief of Narcotics Division, Sheriff's Office, Martin County, Florida
Gary Frechette, Program Specialist, Department of School Board Safety, Palm Beach County, Florida

Congressman Tom Lewis opened the panel discussion with a progress report from South Florida, and told the Select Committee that not very much had changed in a positive way since the Committee held hearings in South Florida in October, 1983.

With increased attention being paid to the problem of trafficking in South Florida, smugglers had pushed their operations north, up the Coast of Florida, and west to the open rangelands and wilderness of central Florida. Representative Lewis recounted the serious situation which had corrupted the entire town of Everglades City, Florida, when the lure of narcotics and the drug life style created temptations for the residents of this small Florida town.

Lewis also told the Select Committee that "serious gaps in co-operative communication" continue to exist between the Federal Government and State and local officials. Without the cooperation between the South Florida Task Force and the local Florida enforcement community, the narcotics war could not be won.

In the area of drug education, Congressman Lewis stated that the work of Gary Frechette, the Director of School Board Safety from Palm Beach County, was invaluable in educating preschoolers about the need to say no to drugs.

Sheriff Jim Holt of Martin County told the Committee that there was not much improvement in the co-operation between Federal and State authorities since the Committee's October, 1983 hearing in Florida. In a graphic illustration of the difficulties being faced by the law enforcement community in South Florida, Sheriff Holt reported to the Committee that there were serious problems involving the EPIC system and the sharing of intelligence among Federal, State and local agencies.

> There are boats that bay off the Bahamas that I feel sure that some of our Federal agencies know about that we never get this information.
>
> There is another at the EPIC (El Paso Intelligence Center) which is out in El Paso, Texas. There is no way local can get information out of this. If I have a high speed ocean racer within one of my areas, my marinas, that I am very suspicious of, to get this information—if there was ever any information on this person—I have to go into a system in South Florida or in Florida known as BENA, which then is supposed to be able to get into EPIC to get this information back.
>
> This sometimes takes three days, and at night now there is no way, at night, that BENA can get into EPIC. So here we are bogged down on information. This ocean racer can be out over to one of the offshore islands and be back in a matter of three hours with a load of narcotics, and I still wouldn't have any information on him later in the day.

Lieutenant John Murphy, Chief of Narcotics in the Sheriff's Office, suggested that a County Task Force be established to assist the local law enforcement officials to deal with the specific problems of Martin County, Florida. Such a county Task Force could interact in a productive way with the South Florida Task Force and provide the Task Force with relevant information which would be beneficial to both the Federal and local law enforcement communities.

Murphy added that such a working relationship would have the end effect of stopping drug smuggling in South Florida.

Gary Frechette of the Palm Beach County School Board reported to the Committee on the success of the recent "Chemical People" program which brought 1,900 individuals together in 32 different locations in South Florida. However, Frechette said that the 1,900 people was a small percentage of the 80,000 students in the West Palm Beach School system. On the second night the attendance dropped to only 700 and at the present time, local Chemical People committees contain only four or five people each.

The apathy apparent at all of the anti-drug programs put on in the schools indicate the fact that the issue of drug education and prevention is not an issue which most parents want to discuss, and that unless a program is made mandatory, there will be no overwhelming interest on the part of the community.

Frechette also told the Committee that his job was difficult, and that one person spreading the anti-drug message to eighty thousand students in 102 schools was almost an impossible task. But, he said, if schools and parents began the anti-drug program at an early age, children would be more responsive to alternatives and the negative aspects of drug abuse. Mr. Frechette said that the "Naturally High" program, as well as the "Only Sick People Need Drugs" program were successful in illustrating the dangers of drug abuse.

TEXAS PANEL

Congressman Solomon Ortiz
Mr. Andres Vega, Chief of Police, Brownsville, Texas
Mr. David Pollard, Director, Kleberg County Alcohol Office, Kingsville, Texas

Congressman Ortiz led the panel discussion with a summary of the findings and recommendations from the Select Committee's 1983 hearings in Corpus Christi. After hearing from 27 witnesses who testified that heroin addiction was growing despite the State's best efforts to stop its illicit importation, Congressman Ortiz stated that the problem was growing more severe in the Southwest United States. Despite the growing problem in Texas, there is no statewide drug abuse education program in the State of Texas due to the lack of funding, and Congressman Ortiz stated that the present border interdiction program has not been effective in stopping the flow of drugs over the border.

An issue of grave concern to the Gulf Coast region is the growing use of inhalants by Mexican-American youths in the Southwest United States. Congressman Ortiz told the Select Committee that the incidence of inhalant abuse in the Corpus Christi area is six times the national average, as reported by NIDA. Even with these severe problems, there is an extreme lack of treatment services in Texas; in Brownsville, Texas, there is no detoxification center to service addicts wishing detoxification.

In response to the need for greater availability of drug education programs, Congressman Ortiz introduced legislation, H.R. 4851 which authorizes $30 million over three years for education programs to assist local education organizations in establishing and improving drug, alcohol and tobacco education programs for elementary and secondary students. The Secretary of Education is also authorized to make grants for establishing procedures and ensuring that funding is used by local educational agencies for drug education programs. Congressman Ortiz said that education is the key to preventing drug abuse in children.

Mr. Andres Vega, Chief of Police in Brownsville, Texas said that depressed economic conditions in South Texas, including the decline in sales tax revenues, the devaluation of the Mexican peso, and the reduction in trade, all led to a reduced operating budget for the police department, which led to increased problems in the narcotics situation.

The police departments are simply unable to conduct in-depth surveillance operations in addition to controlling the abundance of crime in the Brownsville border area. While there is excellent cooperation between the Drug Enforcement Administration and the local police departments, Vega said that there is a serious shortage of manpower which hampers progress. Vega told the Committee that there are four DEA agents and two supervisors responsible for detection and interdiction in the Gulf Coast area. The Police Chief said that the trafficking problem must be addressed at the international level so that effective policies can be made to halt the importation of Mexican heroin.

Mr. Vega proposed a four point plan which, if adopted by the Federal Government would lead to a more effective narcotics program. The plan includes:

1. Federal dollars should be provided to border cities for interdiction purposes. Vega also suggested the formation of regional task forces and urged the Drug Enforcement Administration to assign additional staff personnel and equipment to the Texas region.
2. Co-operation between Federal, State and local agencies involved in the narcotics situation is a must.
3. The U.S. Attorney's Offices and the District Attorney must be provided with the necessary resources in order to vigorously prosecute violators in a timely fashion.
4. Narcotics and drug abuse programs should be developed at the elementary school level in order for young people to be aware of the dangers of drugs at an early age.

Mr. Vega expressed frustration at the growing problem of international involvement in the narcotics trafficking business in Texas. He told the committee that recently 365 pounds of cocaine worth several million dollars was seized and seven Colombians were arrested. Despite the large bond required, the seven men were able to post the bond, and hired the best defense attorneys available.

In closing, Vega stressed the need to fight drugs on an international and federal level, since the local law enforcement officials were having a difficult time fighting crime and interdicting narcotics.

Mr. David Pollard, the Director of the Kleberg County Alcohol Office in Kingsville, Texas reported that there is a scarcity of narcotics treatment centers in Texas, and added that the low salaries paid to drug counselors and health professionals resulted in turnover of personnel.

The serious problem of inhalant use among young people was increasing with tragic results, including brain damage to the users. Cocaine has become more popular, and Pollard stressed the need for early intervention and increased drug education programs. He expressed concern that drug use is often related to other social and family problems, and said that it is often difficult to bring people into treatment. There is also an increasing problem of pill use among junior high school students, and added to the already rampant problems of marihuana use and alcohol abuse, the severity of the school drug problem is increasingly worrisome.

With approximately 700,000 people in Texas seeking treatment for narcotics abuse, there is a real need to provide extended treatment and education programs to help individuals break the cycle of dependence upon drugs, said Pollard. Without any facilities in the Texas area for detoxification of addicts, there is little hope for an improved narcotics situation.

The increasing availability of Mexico brown heroin is of concern to both the law enforcement community, and to health professionals, both Vega and Pollard agreed.

NARCOTICS LAW ENFORCEMENT ISSUES: IS FEDERAL/STATE/LOCAL COOPERATION A REALITY?

THE LOCAL PERSPECTIVE

The issue of law enforcement's role in narcotics control has been the subject of several hearings and investigations undertaken by the Select Committee on Narcotics Abuse and Control during the 98th Congress.

Essential to any interdiction strategy, and central to an effective overall control plan, law enforcement efforts have become a first line of defense against the trafficking of controlled substances. The Select Committee on Narcotics Abuse and Control, as part of its mandate is charged "to conduct continuing oversight and review of the problems of narcotics, drug and polydrug abuse and control," and to review "domestic and international trafficking, manufacturing and distribution of controlled substances."

In 1982, the Administration was directed by the Drug Abuse, Prevention, Treatment and Rehabilitation Act (Public Law 92-255) to develop a co-ordinated long term Federal Drug Strategy of which one major component was drug law enforcement. As part of the Select Committee's ongoing review of the Federal Strategy, hearings were conducted in several locations across the nation, including Washington, D.C. to assess the effectiveness of the Administration's law enforcement efforts in controlling manufacturing, trafficking and distribution.

During the 98th Congress it became clear to the Select Committee on Narcotics Abuse and Control that despite increased federal attention to the narcotics problem, the incidence and intensity of narcotics trafficking were increasing dramatically, adversely affecting communities all across the nation. Despite the Administration's claims of increased law enforcement priority and presence, narcotics trafficking and abuse were at an all time high, particularly in urban and border communities.

In an effort to accurately gauge the extent of the narcotics problem, evaluate present law enforcement efforts, and recommend changes/improvements in the federal role, the Select Committee conducted hearings in New York City (June, 1983), Redding, California (July, 1983), South Florida (October, 1983), Corpus Christi (December, 1983) and Honolulu, Hawaii (January, 1984).

In addition to these formal hearings, the Select Committee also sponsored law enforcement conferences in West Palm Beach, Florida (May, 1984) and New York City (May, 1984) at which time specific law enforcement concerns were aired by State, local and Federal representatives. The Select Committee also called witnesses from the five hearing sites to Washington to present to the entire Select Committee what, if anything, had taken place since the initial hearing visits.

Before examining the concerns of State and local law enforcement officials, and before reviewing the federal role in the narcotics interdiction and control efforts, the extent of the narcotics problem should be examined.

Through hearings in the five locations—New York City, Redding, Corpus Christi, South Florida, and Honolulu—the Select Committee heard witnesses express frustration and concern at the growing inability of local law enforcement to stem the tide of illicit narcotics. New York City Police Commissioner Benjamin Ward told the Select Committee in April, 1984 that ". . . . New York, as well as other cities, does not possess the capability of combatting the availability of illegal drugs throughout the country."

In reviewing testimony from law enforcement representatives, state and local government representatives, treatment/rehabilitation experts and concerned citizens, the Select Committee concluded that three major concerns were being verbalized about the extent and nature of the narcotics problem: the increased availability and use of cocaine; international involvement in the U.S.'s narcotics problems; and the growing availability of domestically cultivated marihuana.

The Select Committee's hearing in West Palm Beach, Florida on October 12-13, 1983, graphically demonstrated the effects that the availability of South American cocaine was having on the South Florida communities. A 1983 drop in cocaine prices, the result of a Latin American cocaine surplus, had introduced many new users to that substance and had undermined law enforcement efforts to control and eliminate drug trafficking and abuse in South Florida.

In the Select Committee's South Florida hearing testimony, the following points were made regarding the problem of cocaine:

> 7,088 pounds of cocaine was seized in 376 cocaine seizures by the South Florida Task Force.
>
> Mayor Herman Askren of Everglades City, Florida testified that an entire community had succumbed to the lure of drug profits and had turned to criminal activity in the wake of increased availability of cocaine and other narcotics.
>
> Lt. John Murphy, Chief Narcotics Investigator for Martin County, Florida's Sheriff's Office told the Select Committee at the May, 1984 Law Enforcement Conference that there was "more cocaine in Martin County than we've ever had before."
>
> The international involvement in South Florida's cocaine "industry" cannot be overlooked. In January, 1984, Florida police uncovered a cocaine factory in Homestead, Florida, and seized 220 pounds of cocaine, worth approximately $40 million. Five Colombians were arrested in the raid. Colombian involvement in South Florida's cocaine industry is commonplace, and law enforcement officials have stated that laboratories flourish in South Florida because chemicals required for the conversion of raw coca into cocaine are more readily available in the U.S. than in Colombia.

In New York City, cocaine availability and a reduction in price were creating serious law enforcement and health problems. At the June, 1983 hearing in New York City, and again at the Committee's April 10th hearing in Washington, D.C., witnesses stressed the importance of reducing the availability of cocaine, a drug which had become a widely abused "drug of choice."

Former Secretary of the Department of Health and Human Services, Joseph Califano told the Select Committee that cocaine use in New York State had tripled during the five year period prior to 1983, and that cocaine use had resulted in an increase in cocaine-related admissions to treatment programs by 300% during a five year period.

22 percent of New York's population are abusers of cocaine, marihuana, pills, heroin and PCP.

Cocaine is widely available in New York City and is as easy to obtain "as buying a newspaper" according to Julio Martinez, Director of New York State Division of Substance Abuse Services.

Special Narcotics Prosecutor for New York, Sterling Johnson, Jr. told the Select Committee in April, 1984 that the problem of cocaine availability in New York City is a severe one. "Coke prices are still declining, and purity is rising," Johnson stated. By September, 1983, the price of a kilo of cocaine had dropped from $60,000/kilo, the January, 1983 price to $18,000/kilo.

Dr. Arnold Washton, Associate Professor of Psychiatry and Director of Drug Abuse Research and Treatment, New York Medical College, told the Select Committee in June, 1983, that cocaine use has reached epidemic proportions and has become a serious problem among middle class and working class individuals. The cocaine hotline, established by Dr. Washton in 1983 received approximately 100 calls per day, indicating the severity of the cocaine problem in New York.

When the Select Committee travelled to Corpus Christi, Texas, the issue of cocaine availability and purity arose.

Bill Banner, the Chief of Police, Corpus Christi Police Department, testified that as a result of the increased Federal efforts in the South Florida area, cocaine traffic was being diverted to the Corpus Christi-Gulf Coast area. The price of a kilo of cocaine dropped from the 1981 high of $75,000 per kilo to the 1983 price of $40,000.

The Right Reverend Monsignor Dermot Brosnan of San Antonio, Texas, estimated that there were approximately 250,000 cocaine abusers in Texas. Despite this high number of abusers, only 8,000 individuals in Texas were receiving treatment.

Another issue which was brought to the attention of the Select Committee was the local law enforcement perception that the narcotics problem is a serious international problem which cannot be combatted on a local, State, or national level alone. With the significant increasing involvement of Latin American and Asian nations in the narcotics trade, local communities were powerless to stem the tide of narcotics, control international production and address the effects of narcotics in the local community.

Robert Morgenthau, District Attorney of New York County expressed frustration at the prospects of State and local law enforcement officials having to meet the demands of an international crisis. At the New York City hearing in June, 1983, Morgenthau stated:

> . . . drugs are coming in from Southeast Asia and Southwest Asia and from South America, from Pakistan, from Afghanistan—from the Northwest frontier of Pakistan, from Iran . . . This is a national and international problem and one that cannot be dealt with by local law enforcement.

At the April, 1984 hearing in Washington, Andres Vega, Chief of Police of Brownsville, Texas told the Committee that local communities have become increasingly alarmed at the involvement of international figures in local narcotics trafficking. In a recent case cited by Vega, 365 pounds of cocaine worth several million dollars was seized and several Colombians were arrested. Despite the large bond required, the seven Colombians were able to post the bond, and had enough money to hire the best attorneys available. The increasing involvement of Mexicans in the smuggling/trafficking of heroin was also of major concern to the residents of the border areas.

Hawaiian officials also urged the federal government to take a more active role in eliminating narcotics trafficking from that state. First Deputy Attorney General of Hawaii, Michael Lilly, told the Select Committee in April, 1984 that "I view drugs as not a local problem; it's not even a national problem; it's an international problem. It permeates our entire society, and our entire globe, and it needs some strong efforts on the national level to help us combat this insidious problem that's infecting our community and ruining our kids."

Lilly's concerns were echoed in the May, 1984 South Florida Conference and in Redding, California's July, 1983 hearing.

Another issue which had become extremely important and worrisome to local law enforcement officials was the issue of domestically-grown marihuana. In both Redding, California, and Honolulu, Hawaii, the Select Committee heard from law enforcement officials about the severity of the problem, the prevalence of the sinsemilla strain of marihuana, and the attendant crime and violence associated with domestically grown marihuana.

Northern California's law enforcement community expressed concern at the seeming lack of federal involvement in the eradication and control efforts. As a signatory to the Single Convention on Narcotic Drugs, the U.S. is obligated to the States and to foreign governments to eradicate marihuana.

The value of the domestic crop ranges from anywhere between $10 billion and $52 billion per year, according to some local witnesses who testified before the Select Committee. With the high profits reaped by marihuana cultivators, estimates place marihuana as the nation's third most profitable crop behind soybeans and wheat. One plot of one hundred marihuana plants is, on average, worth from $100,000 to $150,000, witnesses told the Select Committee.

The violence associated with the cultivation of marihuana affects all aspects of community life, the Select Committee was told at the July, 1983 hearing in Redding, California, and at the April 10th hearing in Washington. Randy Rossi of California's CAMP (Campaign Against Marihuana Planting), reported that during the 1982 growing season, 500 firearms were confiscated, and that 77 percent of the cultivators were armed or used booby traps. Approximately fifteen homicides per week occurred in Northern California and were attributable to the cultivation of marihuana, said Rossi.

Experts indicated that fifteen percent of the marihuana consumed by Americans is produced domestically, with the majority of the cultivation occurring in the Pacific Northwest area of the country as well as in Hawaii.

Estimates provided by local witnesses place Hawaii's approximately $1.6 billion marihuana crop second only to California's 1984 $2 billion crop. (These estimates were provided by witnesses, and do not represent the Select Committee's official estimates.) Deputy Attorney General Michael Lilly told the Select Committee that Hawaii had embarked on a very effective marihuana program titled "Operation Green Harvest". In 1983, approximately 636,000 pounds of marihuana were seized; this amount represent about ten to twelve percent of Hawaii's marihuana crop, down from an annual average of twenty percent crop seizure.

The Hawaiian witnesses indicated that marihuana is rapidly surpassing pineapples as that State's number one cash crop. As in California, Hawaiian cultivators use booby traps and other violent means to protect their crop, and Lilly demonstrated to the Select Committee some of the booby traps that had been seized.

Lieutenant Wakita of the Vice Section of the Hawaii County Police Department reported that during Operation Pele, $1.3 million in marihuana was seized. Marihuana had become a highly profitable commodity in Hawaii and was sometimes being traded for cocaine. The shipment of Hawaiian grown marihuana to mainland U.S. locations continues to be a problem over which the Committee expressed serious concerns. Operation Pele confirmed for law enforcement officials the fact that U.S. Mails were being used to smuggle narcotics from Hawaii to the mainland. After search warrants were issued, and the departing packages examined, it was discovered that in one Post Office 80 percent of the packages headed for the mainland contained narcotics.

Local law enforcement officials agreed that regardless of geographic location, the narcotics problem was serious and was growing worse. The availability of cocaine was increasing, international links in the narcotics trade were being strengthened, and domestic marihuana was accounting for record crops. It was clear from all the testimony received at the Select Committee's 1983–1984 hearings that while the State and local law enforcement officials were committed to interdiction and control efforts, help from the federal government was needed to combat this serious narcotics problem.

However, what was also clear from the testimony was the local perception that the level of cooperation between State/local and federal law enforcement personnel battling the narcotics problem was not satisfactory. State/local law enforcement officials admitted their need for additional cooperation, support and resources from the federal government if the interdiction and control strategies were to be successful. The Select Committee on Narcotics Abuse and Control urged local law enforcement officials, through testimony at hearings and law enforcement conferences to report on the cooperation situation, and to suggest ways to improve cooperation and reduce narcotics trafficking.

Local concerns focused basically on four areas which were important to law enforcement officials: the lack of information exchange between state/local and federal officials; the lack of federal manpower support; the lack of federal dollars and equipment and the lack of trust between local and federal agencies.

As early as October, 1983, South Florida law enforcement officials spoke about the need for improved cooperation between themselves and the federal officials. Citing problems especially the South Florida Task Force, local officials explained that the lack of interaction between the locals and the federal representatives had led to a breakdown in communication, and was contributing to a lack of progress in halting the spread of narcotics. In an often quoted response to Chairman Rangel's question about the level of local cooperation with the Task Force, the Chief of Police of West Palm Beach, John Jamason stated: "I have never spoken to anyone from the (federal) Task Force since its inception . . . All I know of the Task Force is what I read about in the newspapers."

At the April 10th hearing, Sheriff Jim Holt of Martin County, Florida expressed his concern that no improvement had occurred in the cooperation between the locals and the federal officials. Local sheriffs were not aware of how the South Florida Task Force fit in the scheme of narcotics interdiction and control, and were not sure, according to one sheriff "who's in charge. I don't even know who to contact, as a matter of fact to talk with them."

Sheriff Richard Wille of Palm Beach County told the Select Committee at its South Florida Law Enforcement Conference held in West Palm Beach on May 14, 1984, that the communication between the Task Force and local law enforcement community was poor.

> . . . there is still no liaison work at all between the South Florida Task Force or the Interdiction Bureau that is down here . . . I think communication is one way . . . And it has never been established with the people that have come down here with the Task Force; it is not on an individual basis or on a bureau basis, and I think that is detrimental to us and to their efficiency.

Sheriff Wille informed the Select Committee that the South Florida Task Force officials had never contacted him in the two and a half years that mechanism was in place, and that months go by without any contact between the agencies involved in the Task Force and local officials.

Sheriff Jim Holt of Martin County urged the South Florida Task Force specifically its Director, Admiral Thompson, to share information with local law enforcement personnel who could be of assistance to the Task Force in interdicting narcotics.

> My concern, Admiral is if you are chasing an airplane, pick it up around Cuba, coming through the straits, coming up to the Coast, I have been notified one time this thing would probably hit the coast somewhere between Fort Pierce and Vero Beach. If we can just know this ahead of time, I can cover every place it can be dropped or landed within Martin County in a very few minutes. . . .
>
> . . . I have seen you go all over with a Citation, the big helicopter you have, and chase them right over our county, and we never had any information from anybody that you were coming over. We have had two instances where you have lost them right in the area of our county . . .
>
> . . . If we just knew ahead of time this thing was coming, we could cover it just that quick, and I think every other local agent could probably do the same thing; if we had some way to get this information from you to us.

Other local law enforcement officials echoed their concern about the Task Force's unwillingness to share information. Richard Guiffrida of Broward County indicated to the Committee that he had never received a briefing from the Task Force or NNBIS, and that no information was being passed on to local officials through bulletins or memoranda.

Citing communications problems even between the federal agencies themselves, Lt. John Murphy of Martin Country stated that "I think there is a problem between Customs sharing information with the FBI, FBI sharing with the DEA."

Most of the participants at the South Florida Law Enforcement Conference told the Select Committee that they had a very good working relationship with individual agencies within the Task Force, such as the DEA or Customs.[2] However, as far as the entire Task Force was concerned, poor communications among the federal agencies themselves resulted in little or no communication between the federal representatives and local officials. As one local representative stated ". . . The Task Force is just going to have to sit down and talk to each other. Like I say, I have never talked to anybody in Broward County about any incident or any crime or anything drug-related with the Task Force whatsoever."

That same local official, Ed Gavalier of Broward County, again stated that cooperation with individual components of the Task Force was satisfactory. "We have a Customs agent working right out of our office, and it is great. We are together almost every day. I tell him things, he tells me things. If anything comes up that the feds have to handle, he gets the job done, and it is great. It really works good."

With the increasing availability of narcotics in border and urban areas across the nation, many local jurisdictions criticized the federal government's allocation of resources in the fight against narcotics. Many local officials spoke out against the federal government's inability to provide more manpower to assist the local communities in interdiction and control efforts.

At the Select Committee's hearing in Washington on April 10, the witnesses from New York, Hawaii and Corpus Christi urged the federal government to assign additional personnel to these locations to reduce the burden of the growing international narcotics supply.

New York City's Police Commissioner, Benjamin Ward stated that there was a glaring imbalance in the numbers of local law enforcement personnel in that city's Federal Task Force. New York had contributed the services of 90 detectives to the Task Force, while the Federal government supplied only 30 DEA personnel. Without additional support from the federal government for this "federal" task, Commissioner Ward said that he would consider withdrawing New York City personnel from the Task Force.

The Deputy Attorney General from Hawaii, Michael Lilly, also criticized the Federal Government for withdrawing personnel from the Hawaiian Task Force, and for a general lack of support from the federal government for the federal-state partnership which was critical if the narcotics situation in Hawaii was to improve.

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[2] The South Florida Law Enforcement Task Force was preceded by a mail survey of the participants addressing the issues of Federal/State/local cooperation in drug law enforcement. The results of the survey are presented in Appendix A.

Before the Task Force was disbanded in 1982, DEA, the U.S. Attorney's Office, the Deputy Attorney General's office, the Coast Guard, County Police Departments, the FBI, Naval Investigations Service and the Army Criminal Investigation Division worked together in an informal arrangement to control the flow of narcotics into and from Hawaii.

In the Gulf Coast region, local law enforcement officials urged the federal government to provide additional personnel to the Texas area to assist with interdiction efforts. Andres Vega, the Brownsville, Texas Chief of Police, told the Select Committee that there were only four DEA agents and two supervisors responsible for detection and interdiction in the entire Gulf Coast area. The Gulf Coast region was suffering from an increase in the importation of Mexican heroin as well as having become a preferred trafficking route since the creation of the South Florida Task Force.

At the South Florida Law Enforcement Conference, local officials requested additional DEA personnel for the South Florida region. Sheriff Holt of Martin County suggested that "If there would be anything you gentlemen could do to get us a couple of more DEA or Customs agents in the local area, that would be a big help."

While requests for additional personnel were being made in several locations where narcotics trafficking is a significant problem, other local officials urged the federal government to provide additional funding and equipment to enable the local personnel to more effectively combat the problem.

New York's Special Narcotics Prosecutor, Sterling Johnson, Jr. suggested that two million dollars be set aside for buy money and other investigative expenses so that the New York City Police Department could successfully carry out its narcotics control duties. Johnson also requested that the federal government provide funding for a hundred-man Task Force to concentrate solely on street level enforcement. These funding requests were made to the federal government by New York because of the federal government's obligation to assist the states and local governments meet the demands placed on them by the growing importation of international narcotics.

In Redding, California, where the cultivation of marihuana has created serious law enforcement problems, local officials have turned to the federal government for assistance by way of funding and equipment. The job of detecting and eradicating marihuana—much of which is cultivated on federal or other public lands—has placed a large financial burden on local communities and counties. Compounding this financial burden is the subsequent prosecutions and imprisonment of cultivators and traffickers.

All the witnesses at the Select Committee's hearing in Redding, California testified about the need for federal assistance. Expressing disappointment with the DEA's minimal marihuana eradication budget ($2.4 million in 1983), Californians urged that the DEA increase its paltry $175,000 allocation to their state for the massive task of detection and eradication.

At the April 10 hearing in Washington, pleas were made by local officials for federal support for the 1984 eradication effort. Randy

Rossi of California's Campaign Against Marihuana Planting (CAMP) told the Select Committee that unless between $800,000 and $1.5 million was allocated to his organization the eradication campaign would be put on hold. Seeking to lease helicopters, from a private company, CAMP was expected to pay $800,000; if the helicopters were borrowed from the military, $1.5 million would be required in maintenance costs. The 1984 growing season presented special problems for California since the National Guard was committed to provide services for the Olympics and the Republican National Convention. In previous years, the National Guard had supplied equipment and manpower to the State of California for eradication assistance.

Rossi expressed concern over the difficulties that CAMP was encountering in obtaining assistance from the federal government in these special circumstances, and Rossi was joined by the Select Committee in questioning the commitment of the federal government to the eradication program since the funding was not forthcoming.[3]

The Select Committee was also reminded of the serious burdens placed on local prosecutors when they attempt to prosecute cultivators and traffickers. A county supervisor told the Committee members that prosecution often entails travel to other states, and that costs of these trials and investigations sometimes deplete prosecutorial budgets.

During its hearing in Corpus Christi, Texas in December, 1983, the Select Committee heard from local law enforcement officials there was an urgent need for additional federal funding for cities on the American side of the Mexican border to assist them in fighting the international narcotics traffic that was coming through Mexico to the United States. Police Chief Vega also urged additional resources for the U.S. Attorneys prosecuting narcotics cases since a lack of federal assistance had interfered with the expeditious treatment of some of these cases.

While a majority of witnesses appearing before the Select Committee in field hearings and in Washington, D.C. expressed dissatisfaction with the federal law enforcement agencies' levels of cooperation and assistance, many believed that additional resources and personnel would rectify most of the problems. However, one complaint that was echoed throughout the hearings reached to the heart of the very institutions involved in the narcotics interdiction and control strategy. Witnesses stated that there was a definite lack of trust between the federal parties and the state/local law enforcement community, and that this lack of trust was contributing to the failure of the narcotics effort.

During the Select Committee's hearing in Corpus Christi, Sheriff James Hickey of Nueces County, Texas told the Committee that the DEA had not exhibited a great deal of trust in its dealings with local law enforcement officials. He stated that while cooperation with the DEA was generally good, when problems arose they were often attributed to a lack of trust in the working relationship.

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[3] CAMP eventually received a check for $800,000 after several meetings and after intercessions by the Select Committee on Narcotics Abuse and Control. Please see the Appendix for further details.

> I understand that, perhaps there is a problem generally, and I think that stems from, for instance, DEA's inability to always, in every case, trust local local enforcement. . . . just as we have all found out . . . not in every jurisdiction can you . . . totally trust all of those agents you are working with, perhaps because they are loose-lipped or whatever. And I think that wherever we have found that there is not cooperation with Federal agencies, it seems from that.

At the Select Committee's Law Enforcement Conference in May, 1984, the issue of distrust was again raised. Suggesting that frequent and informal communication was the key to a better working relationship between the federal officials and local law enforcement officials, Sheriff Wille of Palm Beach County, Florida told the Select Committee that communications

> . . . would help the situation a lot. Also, it would stimulate some trust and understanding among the agents by merely talking together . . . If they never talk, they can mistrust each other from now until the end. And that is probably what has happened is that through lack of communications, nobody trusts anyone. They feel they are the only ones that are going to be the salvation of the world as far as the narcotics. . . .

Lt. John Murphy of Martin County echoed that thought. ". . . we are all in law enforcement, but we should be trusted or let's get out of it . . . There is a mistrust, I think, between the agents."

Congressman Tom Lewis of Florida, a Member of the Select Committee and representative of a Congressional District directly affected by the South Florida Task Force observed that the distrust between the federal and local law enforcement community is longstanding, and institutionally based.

> . . . There seems to me to be a great margin of distrust between the Federal agencies and the local agencies. I don't know whether it is because who is going to get the most press, or who is going to make sure the press is available or whether we have a real serious turf problem.
>
> Apparently, we have some sort of turf problem between Federal agencies; always have had. And now it appears that we have even a greater turf problem between the feds and the local agencies.

Solutions to these problems were suggested in the hearings in the field and in Washington, D.C. To solve the communications problem, and the problem of the lack of trust between Federal and local agencies, witnesses suggested that a mechanism be put in place to facilitate communication among Federal, State and local law enforcement personnel involved in the narcotics area.[4] Specific amounts of Federal assistance were also suggested to alleviate the financial burden being placed on States and local governments as they attempt to control the flow of narcotics into and within their geographic areas of jurisdiction. Where manpower shortages were recognized, witnesses suggested specific increases in Federal personnel.

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[4] At the South Florida Law Enforcement Conference in May 1984, a series of recommendations was made and approved. The following recommendations were adopted:

1. A formal structure should be considered to serve as a liaison between Federal, State and local enforcement agencies in Florida to enhance coordination and cooperation in narcotics enforcement (i.e. a coordinating committee to identify and solve problems.)
2. If a formal structure, as referred in recommendation #1 is established, it should give top priority to examining how narcotics intelligence and information can be shared between Federal, State and local enforcement agencies.
3. The establishment of a Federal, State and local narcotics enforcement resource pool in South Florida or for the entire State should be explored to make resources available on an "as needed and available" basis to local law enforcement agencies.

THE FEDERAL RESPONSE

(May 22, 1984 hearing)

Having received testimony from State and local officials around the country on the failure of the Federal Government to provide effective law enforcement and interdiction support the Select Committee invited the Federal Government to respond at a hearing in Washington on May 22, 1984. A central concern in that hearing was the functioning and effectiveness of the National Narcotics Border Interdiction System which had been created by the Administration on March 23, 1983, under the leadership of Vice President George Bush. NNBIS was designed to coordinate the work of all Federal agencies involved in law enforcement and interdiction from six regional offices at border locations around the United States. The Select Committee also sought to focus attention on a recently reported internal memorandum written by DEA Administrator Francis Mullen to Attorney General William French Smith in which Mullen was highly critical of NNBIS. In that memorandum he called NNBIS a "liability" and predicted that its much publicized "accomplishments" would become the Administration's "Achilles heel for drug enforcement."

Along with the Federal witnesses the Committee was honored to receive testimony from the Honorable Claude Pepper regarding the drug situation in his Florida District, and his views on the overall response of the Administration.

Some of the major points made by Representative Pepper were:

The Administration has spent billions of dollars on defense but has failed to make a similar commitment of resources to address the domestic threat of drug abuse.

More resources are needed to have an adequately funded program of air and marine interdiction.

The number of deaths attributable to overdoses of cocaine in Miami quadrupled in the second half of 1983.

Cocaine use accounts for 90 percent of all admissions to Dade Country drug treatment programs; an increase of 30 percent from the previous year.

The Customs Service marine interdiction program is in desperate need of increased funding.

In response to Committee concerns over the structure and operational effectiveness of NNBIS, Staff Director, Captain L.N. Schowengerdt, Jr., contended that NNBIS has been doing and will continue to do an effective job of drug law enforcement and interdiction. The NNBIS concept grew out of the experience achieved through the South Florida Task Force which was created on March 15, 1982. The Task Force was essential because of the near chaotic conditions which existed in the region at the time, and the obvious need for corrective action. The intense pressure created by the Task Force in South Florida forced criminal organizations to alter their smuggling patterns.

> In response to this, President Reagan directed two new initiatives, that came out of the South Florida experience.
>
> The first was the Organized Crime Drug Enforcement Task Forces, which were announced on October 14, 1982 as part of a major program headed by the Attorney General to combat the organizations which finance and control drug trafficking and drug distribution networks.

The *second* new initiative, to counter the diversion from South Florida, is the National Narcotics Border Interdiction System, which was created by the President on March 23, 1983, Captain Schowengerdt told the Select Committee.

NNBIS was described as nothing more than a border interdiction system that was no more or less than its participating Federal agencies and agencies at the State and local level. Its function is to increase the effectiveness of these two dozen plus agencies in their effort to interdict drugs. NNBIS is staffed by members of all of these agencies, including State and local agencies. When seizures occur they are not credited to NNBIS, but to the agency or agencies making the seizure, and only seizures made at border points are included in NNBIS's statistics.

The most difficult problem areas faced by NNBIS is that of smuggling via commercial carrier, including commercial aircraft and cargo shipments by sea. The task of halting such shipments falls primarily to the U.S. Customs Service with assistance from the border patrol along our land borders.

Captain Schowengerdt acknowledged that NNBIS had a long way to go in view of the fact that between 40 and 60 percent of crime committed in this country is drug related. "We know that border interdiction alone is not going to solve the drug problem. It's only one way of dealing with a part of the problem."

In regard to DEA Administrator Mullen's memo Captain Schowengerdt expressed the view that it was an old memo reflecting the growing pains that are to be expected under a new structure, and many of the problems had been corrected.

It was the view of the Select Committee that too many levels of bureaucracy existed in NNBIS; it lacked effective communication, coordination and cooperation with State and local agencies; and that serious questions remained over just who was in charge and was responsible for actions taken in coordination with the NNBIS. In order to address these issues and the overall problem of the influx of drugs steps should be taken to:

1. Intensify efforts such as those of NNBIS to deal with all facets of the drug problem.
2. Reduce the levels of bureaucracy in NNBIS and help clarify and simplify the role and function of NNBIS in the minds of State and local officials.
3. Increase local involvement.
4. Allow State and local seizing agencies to take direct credit and benefit from their seizures.
5. Increase cooperation and assistance from the Department of Defense.
6. Encourage regional conferences among all agencies involved.

Oliver B. Revell, III, Assistant Director, Criminal Investigation Division of the Federal Bureau of Investigation testified on the greatly increased involvement by the Federal Government in narcotics investigations. This increased participation is a direct result of the January 21, 1982 order of Attorney General William French Smith delegating to the FBI concurrent investigative jurisdiction with DEA of violations of the Controlled Substances Act. As of May 1, 1984, the FBI was involved in the investigation of 1,799 narcotics and dangerous drug cases. Seven-hundred and sixty-six investigations were currently being conducted in conjunction with DEA. The program was officially announced on October 14, 1982, and at the present time 1200 agents and prosecutors from the Department of Justice and Treasury work in the program.

Revell stated that:

> Although sweeping results are not expected immediately, as of April 30, 1983, the following statistical data is available: the number of organized crime drug task force cases pending was 303, the number of indictments returned was 394, the number of defendants indicted was 1,934 and the number of defendants convicted was 491.
>
> The records show, furthermore, that most of these individuals under investigation are involved not only in the importation and distribution of drugs, but also in the financing of drug trafficking and money laundering schemes. As noted by the Attorney General when the task forces were started, we are not up against amateurs; we are going up against professionals, and the networks which they operate.

In 1973, DEA was designated as the lead Federal agency responsible for investigating U.S. drug law violations, and they continue to play a key role in the Administration's campaign against organized crime and drug trafficking. DEA personnel are active participants in the 12 Organized Crime Drug Enforcement Task Forces. From fiscal year 1982 to fiscal year 1981 the following domestic drug seizure information was made available by DEA. Heroin seizures increased from 230.8 kilos to 306.4 kilos. Cocaine seizures increased from 4,946.5 kilos to 7,569.3 kilos. Marihuana seizures decreased slightly from 1,074,338.9 kilos to 1,044,648 kilos. Almost 3.8 million marihuana plants were destroyed in calendar year 1983 by local law enforcement agencies, nearly a 50 percent increase over the previous year. During the past year, 241 clandestine laboratory seizures were reported, of which 187 were the direct result of DEA investigations and 54 were the result of State and local efforts. DEA is extensively active in NNBIS, and their major contribution is in the provision and analysis of tactical enforcement intelligence.

John C. Lawn, Acting Deputy Administrator for the Drug Enforcement Administration testified that "DEA's intelligence program provides adequate, timely and reliable intelligence regarding drug trafficking to the law enforcement community. In fiscal year 1983, we established a special intelligence unit to coordinate intelligence community information."

Forty-eight states currently participate in the El Paso Intelligence Center (EPIC), and it is the hope of the Select Committee that EPIC will be beefed-up and access by State and local law enforcement agencies increased.

In regard to the Mullen memo, Mr. Lawn expressed the view that the information was dated, and whatever problems NNBIS may have experienced in the past has been corrected.

The U.S. Customs Service is also deeply involved in our drug interdiction efforts. They were our first law enforcement agency, and according to Alfred R. DeAngelus, Deputy Commissioner of the Customs Service, they view our activities relating to the smuggling of narcotics as of the utmost importance. Law enforcement has become the number one priority of the Customs Service under Commissioner William Von Raab, with significant restructuring of management and enforcement activities at headquarters as well as at the regional and district levels.

According to DeAngelus, "In spite of the dedication and successes of Customs, as well as other agencies involved in the war against narcotics, this war is far from being won."

Additional points made by Mr. DeAngelus were:

1. Customs continues to work on tactical interdiction and the marine module program.
2. Apprehension capability has been improved by the loan of four Blackhawk helicopters from the Department of Defense.
3. Customs is active in NNBIS.
4. Customs has sought the assistance of commercial carriers, both sea and air, in combating drug smuggling.
5. Customs accomplishes its mission through selective enforcement, making extensive use of suspect and behavior profiles.

The final link in the law enforcement and interdiction change is the U.S. Coast Guard. In calendar year 1982, the Coast Guard seized 174 vessels carrying 3,471,005 pounds of marihuana; and in 1983 seized 164 vessels carrying 2,314,806 pounds of marihuana. Seizures in 1984 are reported to be running at about the same rate.

Vice Admiral Benedict L. Stabile, Vice Commandant of the U.S. Coast Guard made the following important points in his statement:

1. The use of secret compartments in mother ships seems to have peaked and may be declining.
2. There has been an increase in airdrops where large transport aircraft drop bales to fast contact boats hovering in the waters of the Western Bahamas.
3. Improved intelligence is a key to increasing interdiction effectiveness.
4. NNBIS has been effective in providing a new forum for requesting assistance from other sources and agencies.
5. The use of the tethered aerostat radar system which is operated with the Customs Service has revealed that there is a significantly greater general traffic flow through the passes ("choke points") than was previously thought.

NATIONAL NARCOTICS LAW ENFORCEMENT CONFERENCE

(September 18, 1984)

The Select Committee on Narcotics Abuse and Control, in an effort to obtain a national assessment of narcotics law enforcement problems and concerns, sponsored a national conference on September 18, 1984 in Washington, D.C. The Select Committee invited Police Chiefs from the Nation's fifty largest metropolitan areas (determined by population) and the directors of the fifty States' law enforcement agencies to participate in the Washington Conference. The participants were mailed a survey form addressing Federal, State, and local cooperation in drug law enforcement prior to the conference, the results of which are presented in Appendix B.

In inviting the participants, Chairman Rangel stated that the purpose of the conference:

> Will be to discuss how cooperation among narcotics enforcement agencies can be improved . . . The September 18 conference . . . will afford an excellent opportunity for Federal, State and local officials to share mutual concerns, exchange views and develop recommendations for a strong national drug law enforcement strategy.

In attendance at the Conference were representatives from twenty-nine States and the District of Columbia, and 14 cities. Also present were representatives of the Federal government including Frank Monastero, Assistant Administrator for Operations, Drug Enforcement Administration (DEA); Assistant Commissioner of Customs, George Corcoran; Rear Admiral Norman C. Venzke, Chief of Operations of the Coast Guard; the FBI's Deputy Assistant Director of the Criminal Investigations Division, Floyd I. Clarke; Daniel F. Leonard, Deputy Director, Drug Abuse Policy Office of the White House, and Captain L. N. Schowengerdt of the National Narcotics Border Interdiction System (NNBIS). Major concerns of the participants were similar to those voiced at the other conferences in West Palm Beach and in New York; issues such as intelligence sharing, organizational rivalries, the need for increased Federal funding, and the necessity for better coordination among the involved agencies were discussed at length.

The participants agreed that the narcotics problem was increasing, despite increased attention by law enforcement agencies on local, State and national levels. Law enforcement officials cautioned that increased interdiction of narcotics in one area often leads traffickers to another less secure area; this problem was detailed by Sgt. Roger Huchabee, Austin, Texas Police Department. He told the Select Committee that with the success of the South Florida Task Force, traffickers were moving their operations to the Gulf Coast area. The increase in the availability of cocaine in the Galveston areas was presenting a problem to the law enforcement community, as was the increase in the purity of heroin which was originating in Mexico. The Mexican brown heroin was accounting for a purity level of 4–8 percent, as opposed to the 1983 purity level of 1–3 percent. Sgt. Huchabee stated that some heroin was tested at a 56 percent purity level.

Bob Sundberg, the Commissioner of the Public Safety Commission in Alaska, told the Select Committee that traffickers had been using the U.S. mails to send narcotics to Alaska. During a twenty-nine day special postal investigation, in June 1984, $150,000 worth of marihuana, cocaine, heroin and legal drugs were discovered in packages mailed to Alaska. Sixty-five percent of the packages containing narcotics originated in Hawaii, where Operation Pele had cracked down on outgoing narcotics shipments in December, 1983.

Mike Wilson, of the Oakland, California, Police Department expressed frustration at the growing availability of narcotics, and the increasingly clever trafficking techniques being employed by smugglers. An increase in Mexican heroin was adversely affecting the Oakland area, and six major heroin rings were operating within that City. He stated that it was simply beyond the capability of local law enforcement to address these problems, and concluded that the drug problem in Oakland was "out of control." Increases in homicides, the use of children as "lookouts" during drug buys and the scarcity of prosecutional resources were leading to the conclusion that drug enforcement was a losing battle.

Traffickers were shipping in cocaine from Peru and Bolivia via Hawaii, at which point the narcotics were being brought into California on commercial airlines, in some instances by stewardesses/airline crews.

When the participants were asked about the level of cooperation between the Federal agencies and local law enforcement agencies, the answers were generally similar: experience with individual agencies had been satisfactory, but when it came to larger, supposedly coordinated Federal-State-local efforts, the local organizations came up short.

Most participants stated that relationships with the Drug Enforcement Administration were excellent. The Narcotics Division representative from New York City, Charles Reuter, Sgt. Huchabee of Austin, Texas, Arzo Carson, Director of the Tennessee Bureau of Investigations, Alaska's Bob Sundberg, Robert Dempsey of the Florida Department of Law Enforcement and Commander Richard Wheeler of Rhode Island, all stated that their work with the DEA had been satisfactory, and that cooperation was not a problem. The general consensus was that cooperation problems were usually "people problems" and not institutional.

However, several of the participants, including Mike Wilson of Oakland, California, Police Department stated that there was not a working relationship with the Federal government. He said that the Drug Enforcement Administration has not made an effort to work with the local Oakland law enforcement community, and that no one from the San Francisco Task Force had contacted his Department

Many participants echoed frustrations about not being included in strategy or long-range planning efforts. Many local representatives indicated that their departments were required to make initial contacts with Federal agencies, and unless this was done, no rapport would have been established.

A theme which was repeated throughout the conference was the urgent need for intelligence sharing, followed by a need for additional equipment and resources. The question of intelligence sharing was addressed by almost all the participants who spoke during the session, and some urged that a national intelligence system be put in place to enable local law enforcement organizations to obtain reliable information on suspects and their records. Those who had utilized EPIC (the El Paso Intelligence System) or the WSIN (Western States Information Network) complimented those systems, and stated that these intelligence networks were essential to the execution of law enforcement duties.

Some participants expressed frustration and concern about the lack of trust that was exhibited between Federal, State and local agencies involved in narcotics cases. Mike Wilson of Oakland, urged the creation of a committee or forum which would facilitate the sharing of intelligence on a local level. He told the Select Committee that intelligence sharing from his perspective was a "one way street" since the local organizations provided intelligence to the Federal agencies, but the exchange of information was not reciprocal. The lack of feedback from the Federal agencies created a further feeling of mistrust, and indicated a lack of cooperation which adversely impacts the local agencies' ability to combat narcotics trafficking.

The need for additional equipment, particularly vehicles, was articulated by some of the participants. Sgt. James Dempsey from Columbus, Ohio, indicated that his department was in dire need of additional patrol cars, since a large percentage of the department's present vehicles were on the verge of being inoperable. Several enforcement officers expressed concern at the lengthy procedures involved in obtaining forfeited assests, particularly vehicles, since the General Services Administration regulations made it difficult for local agencies to gain possession quickly.

Other concerns expressed by the local agency representatives was a lack of standard narcotics reporting procedures, problems with radio frequencies, and the need for a national catalogue of equipment available on loan from the Federal government agencies.

Mike Robinson of the Michigan State Police, and Vice President of the National Alliance of State Drug Enforcement Agencies expressed the hope that the Select Committee and the Alliance could work together towards implementation of the recommendations being made by law enforcement officials. The Alliance is an organization "comprised of forty-five member States, which is dedicated to effective drug law enforcement through enhanced communication and coordination among the various drug enforcement agencies."

Chairman Rangel agreed that the Select Committee should work closely with the Alliance as a representative organization of narcotics law enforcement officers. The objectives of the Alliance include the promotion of law enforcement involvement in prevention and education programs, the adoption of uniform reporting and data collection for narcotics enforcement organizations, and the development of public awareness programs in order to achieve more effective drug enforcement efforts.

The Select Committee will give priority to examining the recommendations made at the September 18th conference and a commitment was made to keeping in contact with the Alliance.

A SUMMARY OF FINDINGS: SEPTEMBER 18, 1984, NATIONAL LAW ENFORCEMENT CONFERENCE

Participants in the September 18 Conference expressed the following concerns and offered the following opinions on the narcotics situation in their regions, and across the nation:

1. Many State and local police agencies are being forced to divert increasing personnel, resources and equipment to drug law enforcement.
2. State and local police agencies are in desperate need of additional funding and equipment to meet the demands placed on them by increased availability of narcotics, and increased levels of trafficking.
3. Increased interdiction efforts are not totally successful, since there is still unacceptably high levels of narcotic availability and purity on the streets.
4. In many cases, intelligence sharing is a one-way street, with State and local authorities providing information to federal drug enforcement authorities and federal authorities providing little, if any, information to State and local authorities.
5. There is little evidence that the supplies of narcotics will be reduced any time in the near future.

6. Judges and prosecutors cannot handle the caseload of narcotics cases.

7. High purity Mexican heroin is increasingly available in Texas and California.

8. The trafficking situation in the United States is fairly flexible: for example, successes in the South Florida are complemented with a trafficking shift to the Gulf Coast region.

9. In general, the relationships between State/local agencies and the Drug Enforcement Administration are better than with other federal agencies.

10. Forfeiture proceedings are lengthy, involved and unfair to the States and local communities since they do not benefit as fully from the seizure of assets as the federal government.

11. Education and prevention are sorely neglected areas of concern.

12. The limited capabilities of the El Paso Intelligence Center (EPIC) greatly hinders intelligence sharing.

13. There is evidence that the U.S. Mails are being frequently used to transport large amounts of illicit drugs.

14. While the National Narcotics Border Interdiction System (NNBIS) has shown increased effectiveness during its early stages of operation, improvements must be made to ensure its success.

15. Many states and local governments believe that they are bearing a disproportionate amount of responsibility and action for the interdiction of narcotics and the halting of narcotics trafficking. Since most of the narcotics consumed in the United States have entered from other nations, State and local law enforcement officials believe that the federal government has the primary responsibility for interdiction.

16. Many states and local law enforcement agencies have a pressing need for additional equipment, particularly vehicles.

ISSUES AFFECTING TREATMENT, EDUCATION AND PREVENTION: IS THERE A NEED FOR AN EXPANDED FEDERAL ROLE?

The issues of treatment, rehabilitation and prevention continue to be of concern to the House Select Committee on Narcotics Abuse and Control as the effectiveness of the federal strategy is evaluated. As critical components of an overall drug strategy, prevention and treatment services have become the source of ongoing debate about the proper role of the federal government and the responsibilities of state and local agencies to bear the burden of delivering such services.

During the Select Committee's field hearings, local treatment personnel expressed concern about the seeming lack of federal support for treatment and prevention services, and stated that with the adoption of the Block Grant system of funding, the availability of services had been reduced.

What was generally agreed upon by local treatment communities was that the narcotics situation is growing worse, the demand for services is increasing, and the level of federal support is decreasing. Local treatment personnel expressed frustration at the increasing supply of narcotics, and the increasing numbers of people seeking treatment, and they also expressed disbelief that such an increase was accompanied by a reduction in federal support.

While law enforcement agencies and representatives in the field expressed concern about the lack of cooperation and coordination between local and federal law enforcement efforts, treatment and prevention representatives stated bluntly that the federal government was working at odds with the treatment and prevention community in instituting the Block Grant system which has severely undermined their progress in these areas. At a 1983 hearing in Washington, D.C., Paul Robinson, Executive Secretary, Coordinating Council on Drug Abuse in Boston stated that the Block Grant funding mechanism ". . . will probably within the next fiscal year contribute to the destruction of a fragile substance abuse services system which has taken a decade to develop, and now has been slashed to ribbons by Federal funding cuts."

To understand the gravity of the local representatives' concerns, it is important to examine the local perceptions about the extent and nature of the narcotics problem in local communities.

At the April 10th follow-up hearing in Washington, D.C., representatives from New York City explained how difficult it was becoming for them to provide urgently needed treatment services to addicts. Julio Martinez, Director of the New York State Division of Substance Abuse Services told the Committee that by 1988, the number of users New York State will probably increase to over 1.7 million. In New York City, three out of every hundred city residents are narcotics abusers. Estimates place the number of drug-related arrests at over 20,000 per year in New York City. And despite these increases, Martinez said, the federal commitment "to the state's drug treatment and prevention efforts is waning."

Citing specific negative effects of the federal government's drug abuse strategy, Martinez documented for Chairman Rangel the dwindling federal commitment to New York. Martinez told the New York Conference, conducted in May, 1984 in order to give the New York Metropolitan area Congressional delegation an opportunity to hear first-hand how serious the narcotics problem had become, that the level of federal funding for New York belied any commitment by the federal government.

> Since FY 1980 (the last year of pre-block grant funding), New York has sustained a 40 percent drop in federal funds, from $31.6 million (FY 1980) to $19.1 million (current fiscal year).
>
> Funding in FY 1985 could deliver yet an additional cut to New York State. . . .

Martinez also stated that treatment programs in New York State had reached their capacity, and told the Select Committee that there was a significant backlog in the number of individuals on waiting lists for services. With a waiting list of 1,500 people, Martinez expressed doubt that the New York treatment community could meet the needs of these individuals and others who need treatment services. Martinez also expressed concern that recent law enforcement operations such as Operations Pressure Point, and Operation Clean Sweep were increasing the demands for treatment services as addicts' narcotics supplies were temporarily cut off as a result of police presence in trafficking neighborhoods.

Mitch Rosenthal, founder of Phoenix House, a major New York City treatment and rehabilitation community, underscored the severity of the narcotics problem in New York in his testimony at the June 26, 1984 Select Committee hearing on treatment and prevention issues. In New York City alone, narcotics overdose deaths rose by 20% between 1981 and 1983. Nearly one-fourth of all homicides in New York are drug-related, Rosenthal told the Select Committee, and the prognosis for improvement was not good unless additional funding was allocated.

Criticizing the present system of Block Grants for Alcohol and Drug Abuse program funding, Rosenthal stated that the shift towards an ADMS funding formula based on population would ensure that no additional funding would go to many of the states where the narcotics problems are most severe. Rosenthal said that:

> . . . I know that drug abuse is not evenly spread across the country. Drug abuse is contagious, tends to cluster, much of it clusters in California and Illinois and New York. Indeed, State officials estimate that if present trends continue, we in New York will have more than 20,000 heroin addicts by 1988 and half a million users of cocaine and other equally potent drugs.

Despite the bleak picture that Martinez and Rosenthal had presented about the narcotics situation in New York—and the entire Northeast—they both stressed the need for making treatment services available to those seeking help, and re-enforced the need for strong leadership from the federal government in the area of treatment.

While the Select Committee was in South Florida, treatment and prevention representatives expressed concern that the increasing availability of cocaine and other narcotics was creating unprecedented demands for treatment services. Citing the apathetic attitude that many parents and students have regarding drug education, Gary Frechette, Program Specialist, Department of School Board Safety, Palm Beach County School Board told the Select Committee that ignoring the drug problem leads to disaster. Frechette urged that mandatory drug education programs be put into place to educate children about the dangers and effects of narcotic use and abuse and he urged that these programs begin early in a child's education. "I can't wait till they get to fifth or sixth grade because, believe it or not, they start to form their own morals and their values about substance abuse, and a lot of these children, too, are faced with the sixties generation that are using drugs that are probably drug users themselves."

Sheriff Jim Holt of Martin County also expressed his concern at the growing numbers of people abusing drugs in the South Florida area. At the hearing on April 10, Sheriff Holt told the Select Committee that:

> We are seeing people now involved in cocaine that just a little while ago could not afford it. It's now becoming more of an effective drug, and the people that didn't have the money to afford it when it was such an expensive drug, are now becoming involved with it.

In the Gulf Coast area, concern was expressed by law enforcement and treatment personnel over the alarming increase in the availability of narcotics in that region. With the increase in Mexican heroin supplies in the Corpus Christi area, and with the diversion of a significant amount of narcotics from South Florida to the Gulf Coast region, the Texas area was becoming saturated with narcotics and treatment facilities could not keep up with the demands for services.

Congressman Solomon Ortiz, a Member of the Select Committee and the Congressional representative from the Corpus Christi area, told the Select Committee at its April 10th hearing that since the Select Committee's field hearing in December, 1983, little had improved in way of additional treatment or education services:

> Based on testimony, the Committee was informed of a big gap in drug abuse treatment services in Texas. An example of this is that there is an abuse problem in Brownsville and there are no detoxification facilities in the area for abusers who may seek such treatment.

Representative Ortiz continued:

> The South Texas hearing . . . revealed that while the incidence and prevalence of inhalant abuse may be lower than other categories in the past year, over six percent of admissions to treatment programs in Corpus Christi alone were for inhalant abuse. This is about six times the rate reported by the National Institute on Drug Abuse.

The "big gap" to which Congressman Ortiz referred was affecting the 700,000 individuals in Texas seeking treatment for dependency, according to David Pollard, the Director of the Kleberg County Alcohol in Kingsville, Texas. Pollard expressed deep concern at the tragic scarcity of narcotics and alcohol treatment facilities, and provided the Select Committee with examples of heroin use by second graders, the generational nature of drug addiction and the psychological burdens that substance abuse places on the individual.

Pollard provided an illustration of the gravity of the inhalant problem facing the Texas population, particularly among young Hispanics:

> . . . (the inhalant problem is) real prevalent all the way from San Antonio down in through Mexico, and the younger kids that can't afford more expensive drugs, they smell anything they can to try to get high, and it's one of the biggest tragedies. You have such quick brain damage, it goes straight up through your nose and . . . instead of going through your blood system, it isn't filtered out. So you have a lot of kids that are real highly brain damaged.

Mr. Pollard told the Select Committee that unless additional funding for treatment and rehabilitation was allocated immediately, few professionals would remain in the treatment field, and addicts would not be able to receive the services they desperately needed.

Also appearing before the Select Committee on April 10, was Michael Lilly, First Deputy Attorney General of the State of Hawaii. Lilly told the Select Committee that narcotics abuse in Honolulu was worsening, and that the casual attitude that so many young people had about drug abuse was leading to tragic consequences.

Lilly railed against the prevalence of "head shops" which are flourishing in Honolulu, and which, by their very success, encourage the use of narcotics by young people:

> And then they'll tell you when you go into the shops, they'll tell you how to use it. It's legal to sell it, it's legal to sell your books, it's legal to advertise for it, it's just part of this problem, and what I perceive—one of the problems is that drug paraphernalia, in allowing it to proliferate in the community, is its advertisement to everybody that it's okay, If you want to be in, you've got to smoke cocaine. Cocaine is what the middle class America does. What the successful young men do. What up and coming young ladies do.

The lack of adequate federal funding for treatment services and the severe hardships that have resulted from the transition from categorical funding to the block grant system concerned the Select Committee, and at every hearing where treatment specialists appeared, the effect of the Block Grant was examined and evaluated.

Chairman Rangel reminded the other Members of the Select Committee that:

> Federal funding for drug abuse services has decreased about 40 percent under the Alcohol, Drug Abuse and Mental Health Service Block Grant. State and local revenue and private resources have not been sufficient to fill the gap created by Federal budget cuts, leaving many states with the difficult prospect of trying to do more with less.

Rangel added during the June 26th treatment hearing that:

> Technical assistance, public administration activities and other forms of Federal support have also been cut back significantly. In the words of one witness, the abrupt reduction in the level of contributions to prevention and treatment amounts to a simple abandonment by the Federal Government of the prevention and treatment field.

It was concluded that the local treatment communities urgently needed additional funding to continue and improve their treatment programs, and the urgency of this request was compounded by the increasing supply of narcotics and the inability of the law enforcement community to stop the flow of drugs into American communities.

While treatment funding was a center of discussions at the hearing, another topic, the need for drug education, was also discussed in detail.

New York Police Commissioner Benjamin Ward, in his testimony before the Select Committee on April 10th, outlined what he believed was the proper role for the federal government in the fight against narcotics.

> . . . (there are) three major factors that I think this Committee and the Federal Government should take into consideration, and I start with education as being the most important treatment . . . I don't believe we can get a handle on this problem until we get better education. . . .

This statement, by the Police Commissioner of the nation's largest city, re-enforced for the Committee the need for a mobilization of forces toward more effective drug education programs for school age children.

In response to the lack of mandatory drug education programs in Texas, Congressman Solomon Ortiz introduced legislation, H.R. 4851 which authorizes $30 million over a period of three years to provide grants to the states to assist local educational agencies in establishing and improving drug, alcohol and tobacco education programs for elementary and secondary students. The legislation also ensured that state educational agencies would maintain autonomy for local educational programs.

Congressman Ortiz stated that "Education, in my opinion, is the key to preventing our children from becoming involved in drugs."

The most vocal advocate of mandatory drug education programs was Gary Frechette, representing the Palm Beach County School Board. Appearing at the Select Committee hearing in South Florida in October, 1983, and at the Washington hearing in April, 1984, Frechette leveled as much blame on parents as on the federal government for the lack of a drug education program. Expressing frustration over the parents' apathy about education efforts, Frechette said:

> It's gotten so bad that principals now have to raffle off hams and turkeys to get the parents to come, and (then) . . . I surprise them with the drug programs. . . . Parents will come and listen to the kids sing and dance, but they won't come and give us an hour of their time to listen about what this (drug) problem is doing.

Frechette said that he took pride in the success of the "Only Sick People Need Drugs" program which was featured in one hundred and two schools in Palm Beach County. However, the continued success of this program, which was established by the DEA in 1977, depends upon continuing federal support, said Frechette who added that he was having difficulties in obtaining adequate supplies of DEA's publication, "Katy's Coloring Book" for this program.

The Palm Beach County School District initiated its own drug education program, said Frechette since "The State of Florida has not mandated a curriculum per se of what should be taught" in the schools.

At the June 26, 1984 hearing on Treatment and Prevention, Chairman Rangel took issue with the federal government's claims of success in establishing an effective drug education program. After hearing testimony from Dr. Edward N. Brandt, Jr., Assistant Secretary for Health in the Department of Health and Human Services, and from Dr. Lawrence Davenport, Assistant Secretary for Elementary and Secondary Education, the Chairman expressed concern that the School Team Approach advocated by the Department of Education was not sufficient to address the overwhelming problem of drug abuse in the schools. The School Team Approach was described by Dr. Davenport as a system to "train the teachers and principals to go back and work with the youngsters and their programs then affect about ten million."

Congressman Rangel stated:

> That's not a federal education prevention program; that is providing some assistance to teachers. But, I'm saying that if one was to say that we find the situation with drug abuse by youngsters to be bad and growing worse and some foreigner would ask the question, well, what is the federal government doing about it, in connection with education and prevention . . . would the answer . . . be that the Federal Government is providing training for teachers on a regional basis?

The Chairman was also not satisfied with the Department of Health and Human Services's prevention and education program. Dr. Brandt told the Select Committee that:

> School based preventive intervention research is a major focus of our prevention activities. Our research is primarily on programs for middle school and junior high school age students, the age groups in which vulnerability to drug use begins . . . Programs for senior high school students are also under study.

The National Institute on Drug Abuse embarked on two media campaigns, according to Brandt, which were designed to "teach parents and young people" about prevention and treatment issues "through a broad range of media material." In conjunction with Peoples Drug Stores, NIDA produced a media campaign called "Drug Abuse: Spot It, Stop It," designed to educate parents about the danger signals of drug use and abuse in their children.

While some Members of the Select Committee did not believe that the federal government was not providing the necessary drug education ad prevention leadership, others commended the First Lady and the President on the increased public awareness that they had brought to the issue.

At the June 26th hearing, the Select Committee also heard from Karst Besteman, the Executive Director, Alcohol and Drug Problems Association of North America. Besteman stated that the federal government should increase its research budget and research initiatives, re-establish its drug information and data base, and expand research into workable prevention techniques. In short, Besteman said, the federal government should take a more active and visible leadership role in treatment and prevention areas.

Another issue of concern to the Select Committee is the issue of methadone maintenance, and the relationship of the federal government to states and local clinics in the regulation of methadone.

Some of the major methadone-related issues were discussed at the June 26th hearing when representatives of the Food and Drug Administration and the Director of the Beth Israel (New York) Hospital, Dr. Robert Newman addressed the Committee's concerns about the continuation of drug dependency for methadone clients, proper regulation of methadone clinics and practices, and the process of reporting deaths resulting from methadone. The issue of methadone diversion, and the potential for a burgeoning black market where methadone is readily available was also addressed. Newman stated ". . . there is more evidence of the safety and effectiveness of methadone in the treatment of addiction than applies to virtually any other medicine ever approved by our government," and defended the use of methadone which he said reduced crime, gave addicts a chance to function socially and professionally, and which had been used with success during the last decade.

H.R. 5990, STATE AND LOCAL NARCOTICS CONTROL ASSISTANCE ACT OF 1984

After the Select Committee heard testimony from law enforcement officials in the Northeast, the Pacific Northwest, South Florida, the Gulf Coast and Hawaii, it was clear to the Select Committee's Members that the need for an increased federal role in detection, eradication and the interdiction of narcotics exists.

While the testimony from local law enforcement officials underscored the urgency of a visible federal response to local concerns, the Select Committee oftentimes expressed frustration at the increasing prevalence of narcotics trafficking, manufacturing and abuse, and the seemingly static response by the federal government to the states' and local law enforcement communities' needs.

The Select Committee recognized the potential contributions that federal initiatives such as the South Florida Task Force and NNBIS could make to the narcotics enforcement efforts—if the expertise of State and local law enforcement officials was properly utilized. The Select Committee also recognized the fact that these initiatives alone cannot rectify the present narcotics problems facing local communities, and that additional personnel, resources, equipment and an increased federal commitment are necessary.

With these considerations in mind, the Chairman of the Select Committee, Congressman Rangel, introduced legislation called the State and Local Narcotics Control Assistance Act of 1984. The legislation, which has been referred to the House Judiciary Committee and the House Committee on Energy and Commerce, has the support of the Select Committee and 41 cosponsors. While the Select Committee on Narcotics Abuse and Control does not have legislative jurisdiction, the Chairman drafted this bill to address some of the major concerns verbalized by local law enforcement representatives, treatment and rehabilitation experts and others who believe that the federal government should provide additional leadership in the area of narcotics control.

H.R. 5990 provides federal assistance to state and local agencies to enable them to provide better law enforcement, education, treatment and rehabilitation services in response to the increasing availability of international and domestically cultivated narcotics. Chairman Rangel, upon introducing the legislation in June, 1984, stated that with the hardships placed on state and local agencies after the series of budget cuts made by the federal government, federal assistance was needed desperately. Testimony by treatment and rehabilitation personnel indicated that the Alcohol and Mental Health Block Grant had had detrimental effects on the delivery of services, and that the availability of these services had significantly diminished since the institution of the Block Grant system.

The bill authorizes the Attorney General to make grants to States for the purpose of increasing the level of State and local enforcement of State laws relating to the production, illegal possession, and transfer of controlled substances. In addition to the law enforcement grants, H.R. 5990 authorizes the Secretary of the Department of Health and Human Services to make grants to the States for the purpose of increasing the ability of States to provide drug abuse prevention, treatment and rehabilitation services.

98TH CONGRESS
2D SESSION

H. R. 5990

To authorize the Attorney General of the United States to make grants to States for the purpose of increasing the level of State and local enforcement of State laws relating to production, illegal possession, and transfer of controlled substances; to authorize the Secretary of Health and Human Services to make grants to States for the purpose of increasing the ability of States to provide drug abuse prevention, treatment, and rehabilitation; and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 1984

Mr. RANGEL (for himself, Mr. GILMAN, Mr. STARK, Mrs. COLLINS, Mr. AKAKA, Mr. GUARINI, Mr. FAUNTROY, Mr. LEVINE of California, Mr. ORTIZ, Mr. SMITH of Florida, Mr. TOWNS, Mr. SHAW, Mr. PARRIS, Mr. CHAPPIE, Mr. LEWIS of Florida, Mr. LELAND, and Mr. COUGHLIN) introduced the following bill; which was referred jointly to the Committees on the Judiciary and Energy and Commerce

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A BILL

To authorize the Attorney General of the United States to make grants to States for the purpose of increasing the level of State and local enforcement of State laws relating to production, illegal possession, and transfer of controlled substances; to authorize the Secretary of Health and Human Services to make grants to States for the purpose of increasing the ability of States to provide drug abuse prevention, treatment, and rehabilitation; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "State and Local Narcotics Control Assistance Act of 1984".

AUTHORITY TO MAKE GRANTS

SEC. 2. (a) The Attorney General of the United States may make grants to States which apply under section 3, for the purpose of assisting States and units of local government—

(1) to provide additional personnel, equipment, facilities, personnel training, and supplies for more widespread apprehension of persons who violate State laws relating to the production, possession, and transfer of controlled substances and to pay operating expenses (including the purchase of evidence and information) incurred as a result of apprehending such persons,

(2) to provide additional personnel, equipment, facilities, personnel training, and supplies for more widespread prosecution of persons accused of violating such State laws and to pay operating expenses in connection with such prosecution,

(3) to provide additional personnel (including judges), equipment, personnel training, and supplies for

more widespread adjudication of cases involving persons accused of violating such State laws, to pay operating expenses in connection with such adjudication, and to provide quickly temporary facilities in which to conduct adjudications of such cases,

(4) to provide additional correctional facilities (including the expansion of existing prisons) for the detention of persons convicted of violating State laws relating to the production, possession, or transfer of controlled substances, and to establish and improve treatment and rehabilitative counseling provided to drug dependent persons convicted of violating State laws, and

(5) to conduct programs of eradication aimed at destroying wild or illicit growth of plant species from which controlled substances may be extracted.

(b) The Attorney General shall make grants under subsection (a) based on the relative needs of the States, taking into consideration—

(1) the nature and extent, throughout the State involved or in any part of such State, of problems arising in the enforcement of State laws relating to the production, possession, and transfer of controlled substances, and

(2) the availability of State and local resources to resolve such problems.

APPLICATIONS TO RECEIVE GRANTS

SEC. 3. To request a grant under section 2, the chief executive officer of a State shall submit to the Attorney General an application at such time and in such form as the Attorney General may require by rule.

(1) Such application shall include a State-wide strategy for the enforcement of State laws relating to the production, possession, and transfer of controlled substances. Such strategy shall be prepared after consultation with State and local officials whose duty it is to enforce such laws. Such strategy shall include a description of—

(A) the level of current State and local expenditures directly attributable to the enforcement of State laws relating to the production, possession, and transfer of controlled substances,

(B) the kinds and extent of problems arising in the enforcement of such State laws, and

(C) the manner in which a grant received under section 2 will be expended to alleviate such problems.

(2) The chief executive officer of such State shall designate and identify in such application a single State agency which will distribute to appropriate State

and local government entities, as determined by such State, any grant received under section 2.

(3) Such application shall identify each of the 5 general purposes specified in section 2(a) for which such grant is requested and, with respect to each such purpose, the amount of funds requested for such purpose and the specific uses for which a grant received for such purpose will be expended.

(4) The chief executive officer of such State shall agree, in such application and on behalf of such State, to comply with the requirements of sections 4, 5, and 6 as a condition of receiving a grant under section 2.

STATE AND LOCAL PARTICIPATION

SEC. 4. (a) No part of a grant made under section 2 may be used to supplant State or local funds that would be available to such State or unit of local government in the absence of such grant.

(b) A grant made under section 2 may not be expended for more than 90 percent of the cost of the identified uses, in the aggregate, for which such grant is received to carry out any one of the 5 general purposes specified in section 2(a). The non-Federal portion of the expenditures for such uses shall be paid in cash.

(c) Not more than 10 percent of a grant made under section 2 may be used for costs incurred to administer such grant.

REPORTS

SEC. 5. (a) Each State which receives a grant under section 2 shall submit to the Attorney General, for each year in which any part of such grant is expended by a State or local government entity, a report which contains—

(1) information specifying—

(A) the number of arrests made for violations of State law relating to the production, possession, and transfer of controlled substances,

(B) the number of convictions resulting from such arrests,

(C) the quantity and kinds of controlled substances seized in connection with such arrests, and

(D) the value of property forfeited to the State in connection with the enforcement of such laws,

(2) a summary of the activities carried out with such grant and an assessment of the impact of such activities on meeting the needs identified in the State strategy submitted under section 3(1), and

(3) such other information as the Attorney General may require by rule.

Such report shall be submitted in such form and by such time as the Attorney General may require by rule.

(b) Not later than 90 days after the end of each fiscal year for which grants are made under section 2(a), the Attorney General shall submit to the Speaker of the House of Representatives and the President pro tempore of the Senate a report that includes with respect to each State—

(1) the aggregate amount of such grants made to such State for such fiscal year,

(2) the amount of such grants expended for each of the 5 general purposes specified in section 2(a), and

(3) a summary of the information provided in compliance with subsection (a)(2).

EXPENDITURE OF GRANTS; RECORDS

SEC. 6. (a) The aggregate amount of a grant shall be obligated not later than 2 years after such grant is received by a State. Any part of such grant which is not so obligated shall be repaid by such State to the Attorney General upon the expiration of such 2-year period.

(b) If any part of a grant made under section 2 is used for any purpose other than the purpose for which such part is received by a State, or by a State or local government entity, then the State which received such grant shall promptly repay to the Attorney General an amount equal to such part.

(c)(1) Each State which receives a grant under section 2 shall keep, and shall require units of local government which receive any part of such grant to keep, such records as the

Attorney General may require by rule to facilitate an effective audit.

(2) The Attorney General and the Comptroller General of the United States shall have access, for the purpose of audit and examination, to any books, documents, and records of States which receive grants, and of State and local government entities which receive any part of a grant, made under section 2 if, in the opinion of the Attorney General or the Comptroller General, such books, documents, and records are related to the receipt or use of any such grant.

DRUG ABUSE PREVENTION AND TREATMENT

SEC. 7. (a) The Secretary of Health and Human Services may make grants to States for planning, establishing, maintaining, coordinating, and evaluating projects for the development of more effective prevention, treatment, and rehabilitation programs and activities to deal with the abuse of controlled substances.

(b) For purposes of making grants under subsection (a), the Secretary shall take into consideration—

(1) the nature and extent, throughout the State involved or in any part of such State, of the need for more effective prevention, treatment, and rehabilitation programs and activities to deal with the abuse of controlled substances,

(2) the availability of State and local resources to satisfy such need, and

(3) the recommendations of the Attorney General regarding those populations, areas, and localities in a State which have or are likely to have, as a result of increased law enforcement efforts, an exceptional need for such programs and activities.

(c) To request a grant under subsection (a), the chief executive officer of a State shall submit an application to the Secretary at such time and in such form as the Secretary may require by rule. Such application shall include a description of—

(1) the level of current State and local expenditures for prevention, treatment, and rehabilitation programs and activities relating to the abuse of controlled substances,

(2) the kinds and extent of the need for such programs and activities, and

(3) the manner in which a grant received under subsection (a) would be expended to satisfy such need.

(d) As a condition of receiving a grant under subsection (a), the chief executive officer of the State involved shall agree on behalf of such State—

(1) to designate a single State agency which will distribute such grant to appropriate State and local government entities, or to private nonprofit entities, to carry out the purposes specified in such subsection,

(2) to be accountable for the expenditure of such grant, and

(3) with respect to such grant, to prepare and submit reports and audits in a manner consistent with the requirements of subsection (a) and subsection (b)(1)–(4) of section 1916 of the Public Health Service Act (42 U.S.C. 300x–5).

(e)(1) No part of a grant made under this section may be used to supplant State or local funds that would be available to such State or unit of local government in the absence of such grant.

(2) Not more than 10 percent of a grant made under this section may be used for costs incurred to administer such grant.

DEFINITIONS

SEC. 8. For purposes of this Act—

(1) the term "Attorney General" means the Attorney General of the United States,

(2) the term "controlled substance" has the meaning given such term in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)),

(3) the term "correctional facility" means any place for the confinement of persons convicted of violating State law,

(4) the term "drug dependent person" has the meaning given such term in section 2(q) of the Public Health Service Act (42 U.S.C. 201(q)),

(5) the term "Secretary" means the Secretary of Health and Human Services,

(6) the term "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands,

(7) the term "State law" means a State law the violation of which is punishable by a term of imprisonment exceeding one year or by death, and

(8) the term "unit of local government" means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State, any agency of the District of Columbia government or the United States Government performing functions in and for the District of Columbia, or an Indian tribe.

AUTHORIZATION OF APPROPRIATIONS

SEC. 9. (a) There are authorized to be appropriated for each of the fiscal years 1986, 1987, 1988, 1989. and 1990—

(1) $125,000,000 to carry out paragraph (1) of section 2(a),

(2) $125,000,000 to carry out paragraph (2) of such section,

(3) $125,000,000 to carry out paragraph (3) of such section,

(4) $125,000,000 to carry out paragraph (4) of such section,

(5) $125,000,000 to carry out paragraph (5) of such section.

(b) Not to exceed 10 percent of the amount appropriated for a fiscal year to carry out any paragraph of section 2(a) may be expended by the Attorney General for such fiscal year to carry out any other paragraph of such section, except that the aggregate amount expended by the Attorney General for such fiscal year to carry out such other paragraph may not exceed 110 percent of the aggregate amount appropriated for such fiscal year to carry out such other paragraph.

(c) There is authorized to be appropriated $125,000,000 for each of the fiscal years 1986, 1987, 1988, 1989, and 1990 to carry out section 7.

SECTION-BY-SECTION ANALYSIS OF H.R. 5990, THE "STATE AND LOCAL NARCOTICS CONTROL ASSISTANCE ACT OF 1984."

SHORT TITLE

Section 1. Establishes the short title of the Acts as the "State and Local Narcotics Control Assistance Act of 1984."

AUTHORITY TO MAKE GRANTS

Section 2. Authorizes the Attorney General to make grants to States to help States and units of local government increase drug law enforcement efforts by: (1) providing additional personnel, equipment, facilities, training, supplies and operating funds to State and local narcotics enforcement units for more widespread apprehension of persons who violate State drug laws; (2) providing personnel, equipment, facilities, training, supplies and operating funds to increase the prosecution of narcotics cases in State courts; (3) providing additional personnel (including judges), equipment, temporary facilities, training, supplies and operating funds to State ~~courts, to~~ increase the number of cases that can be adjudicated and to reduce court delays; (4) increasing the capacity of State correctional facilities to hold convicted drug felons and providing support to establish and improve drug treatment and rehabilitation services to drug dependent State offenders; and (5) providing increased support for States to eradicate illicit drug cultivation.

The Attorney General is directed to make grants based on the relative needs of the States taking into account the severity of drug law enforcement problems within a State and the availability of State and local resources to resolve these problems.

APPLICATIONS TO RECEIVE GRANTS

Section 3. Sets forth the procedure by which States may apply for grants. The chief executive officer of a State must submit an application to the Attorney General. The application must contain a State-wide strategy for the enforcement of the State's laws relating to illicit narcotics. The strategy must contain a summary of current State and local expenditures allotted to the enforcement of narcotics related laws, a description of the problems arising in the enforcement of such laws and the manner by which the requested grant will be used to alleviate the problems. The application must designate a single State agency which will distribute funds to appropriate State and local entities. The application must also identify the purposes, specified in section 2, for which the grant will be used. As a condition of receiving a grant, the State's chief executive officer must agree to comply with sections 4, 5 and 6.

STATE AND LOCAL PARTICIPATION

Section 4. Specifies that no part of a grant may be used to supplant State or local funds that would otherwise be available. Prohibits use of a grant to pay for more than 90 percent of the cost of the purposes for which the grant is made. Establishes a limit of 10 percent on the amount of any grant that may be used for administrative costs.

REPORTS

Section 5. Requires States receiving funds to file an annual report with the Attorney General. The report must contain information specifying the number of arrests and convictions stemming from illicit narcotics activities, the quality and kinds of drugs seized, and the value of property forfeited in connection with the enforcement of State drug laws. The report must also set forth a summary of the activities carried out with the grant and an assessment of the impact of such activities on meeting the needs identified in the State's grant application.

This section, also requires the Attorney General to submit an annual report to the Speaker of the House and the President Pro Tempore of the Senate. The report is to specify the amount of the grants made to each State for each fiscal year and the amount expended for each of the five purposes specified in section 2, along with a summary of the activities of the States under the grants and an assessment of the impact of these activities in meeting the needs identified by the States in their grant applications.

EXPENDITURE OF GRANTS; RECORDS

Section 6. Specifies that funds granted to the States pursuant to this legislation are to be obligated within two years after receipt. Any money not obligated, or any used for an unapproved purpose, is to be repaid to the Attorney General. Each State or local government which receives a grant or a part of a grant must keep records as required by the Attorney General and must make them available to the Attorney General or to the Comptroller General of the United States for purposes of conducting an audit.

DRUG ABUSE PREVENTION AND TREATMENT

Section 7. Authorizes the Secretary of Health and Human Services (the Secretary) to make grants to States to increase the availability of drug abuse prevention, treatment and rehabilitation programs. Grants will be made based upon the needs of the State as well as on the availability of State and local resources to satisfy such needs. Also to be considered are the recommendations of the Attorney General regarding the exceptional needs of particular regions as a result of increased law enforcement efforts.

Applications for grants must be submitted to the Secretary by the chief executive officer of a State. The application must include information as to the amount currently expended by the State and local governments for prevention, treatment and rehabilitation programs. Also to be included is a description of the need for such programs and the manner any grant received would be applied toward satisfying such need.

As a condition of receiving a grant, the chief executive officer of the State must designate a single State agency to distribute and administer the grant, including the preparing of reports and audits. The requirements for reports and audits are intended to be consistent with the requirements the State must follow under the Alcohol, Drug Abuse, and Mental Health Services Block Grant. No funds received may be used to supplant State or local funds that would otherwise be available for drug abuse prevention treatment and rehabilitation programs. No more than 10 percent of the grant may be applied toward administrative costs.

DEFINITIONS

Section 8. Defines terms used in the Act.

AUTHORIZATION OF APPROPRIATIONS

Section 9. Authorizes appropriations of $125 million a year, for fiscal year 1986 through 1990, for each of the five drug law enforcement purposes set forth in section 2. Gives the Attorney General limited flexibility to shift funds among these purposes provided the amount available for each purpose is not increased or decreased by more than 10 percent. Authorizes appropriation of $125 million for each of fiscal years 1986 through 1990 for drug abuse treatment and prevention grants.

The Select Committee believes that passage of H.R. 5990 would address and correct some of the basic problems facing local law enforcement communities and prevention, treatment and rehabilitation personnel who have come to believe that the federal strategy for narcotics eradication and interdiction has been ineffective. Chairman Rangel, upon introduction of the legislation said "I have come to the conclusion, as a result of the Select Committee's investigations that we have been largely unsuccessful in controlling the production of illegal drugs in source countries, and that we have been totally unable to interdict an appreciable amount of illegal drugs coming into this country through Federal law enforcement efforts. As a result, we have been unable to make a significant reduction in the available supply of narcotics on the streets of the United States . . . (It is) urgently necessary that the Federal Government comes to the assistance of State and local agencies that are bearing the large burden of responding to drug abuse in America."

DISCUSSION OF FINDINGS AND PANELISTS' RECOMMENDATIONS

These findings are based on testimony received at the April 10th, 1984 hearing in Washington at which time witnesses from New York City, California, Honolulu, Hawaii, South Florida and Texas provided the Select Committee with specific problems and recommendations for action.

New York City.—New York City witnesses told the Select Committee that:

(a) Education is possibly the most effective tool society can use to combat drug abuse and trafficking.

(b) 22 percent of New York's population are abusers of cocaine, marihuana, pills, heroin and PCP, substances which are readily available all over New York City.

(c) Large police operations, such as "Operation Pressure Point" result in large seizures, arrests of dealers, and a reduction in crime. A fifty-one percent drop in robberies and a thirty-five percent drop in burglaries were reported on the East Side of Manhattan after "Operation Pressure Point" went into effect. However, the success of these sweeps is balanced by the resulting problems associated with prison overcrowding, and crowded court calendars which significantly reduce the chances of justice being brought against those netted in the sweeps.

(d) There is a definite lack of coordination or cooperation between federal agencies and drug agencies in New York City, particularly with the DEA. The Federal Task Force is one example where New York City has provided a disproportionate share of resources and manpower to a so-called "partnership" effort.

(e) Rehabilitation facilities are experiencing difficulty in meeting the increased demands for treatment, particularly evident after police crackdowns.

(f) The purity and availability of both heroin and cocaine have increased during the past year, with the attendant results of increased overdose deaths and lower narcotics prices.

Panelists' recommendations included:

(a) Increasing the federal presence in areas such as interdiction, enforcement, treatment, rehabilitation, intelligence gathering and international efforts.

(b) Creation of a special one hundred man Task Force funded by the federal government to concentrate solely on street level enforcement in New York City.

(c) $2 million should be earmarked specifically for "buy money" for New York City.

(d) Revision of forfeiture laws should be undertaken to permit a turnover of one half of seized assets to the state to be split with local governments.

(e) New York's Special Prosecutor should be provided with an additional $5 million to $10 million to "stay current" for present prosecutorial efforts.

California.—From the witnesses' statements, the Select Committee learned that:

(a) There are several homicides each week which are directly related to marihuana cultivation, and additional dangers associated with marihuana include environmental damage due to pesticides, threats of forest fires, crime problems and general problems of lawlessness.

(b) Marihuana is grown on approximately 24 million acres managed by the Bureau of Land Management in California. Fifteen percent of California's cultivations occur in greenhouses or indoors.

(c) California is fairly lenient in handing out sentences for marihuana cultivation. Sheriffs are facing grave difficulties in meeting the law enforcement demands placed on them by lawlessness encouraged by marihuana cultivation.

Recommendations that were made included:

(a) Increase criminal sentences for marihuana cultivation and related crimes.

(b) Provide CAMP (Campaign Against Marihuana Planting) necessary additional funding—in the area of $800,000—to carry out eradication programs to destroy the 1984 crop.

(c) Experimentation with alternative eradication methods, including an odorant/repellent which makes marihuana unsmokable but which has very few adverse environmental side effects.

(d) Providing additional funding for law enforcement personnel and prosecutors.

Hawaii.—The Hawaiian panel provided the Select Committee with the following concerns:

(a) Marihuana production in that state is considered the number one narcotics problem, and is becoming that state's primary cash crop.

(b) Hawaii is becoming a major transshipment point for Asian heroin and cocaine from the mainland U.S. Marihuana is becoming a commodity to be exchanged for cocaine in many drug deals, increasing the availability of cocaine in Hawaii.

(c) The U.S. Mail is the primary means of exporting narcotics, particularly marihuana, to the mainland U.S.

(d) There is a shortage of personnel, particularly at the airports, to ensure adequate searches and narcotics seizures.

Some recommendations suggested by the Hawaiian witnesses included:

(a) Reinstatement of the Statewide Hawaiian Task Force which had been disabled by the pullout of DEA.

(b) Additional funding for training and interdiction should be provided to Hawaiian law enforcement personnel.

(c) Greater use of the military's resources and equipment should be made, and the Postal Service should continue to intercept narcotics-laden packages headed out of Hawaii.

(d) Greater experimentation and expanded use of the Diesel Oil Emulsion method of marihuana eradiction should be encouraged.

South Florida.—The South Florida panelists informed the Select Committee that:

(a) The lack of cooperation and coordination among federal and state-local agencies is continuing, particularly in regard to the workings of the South Florida Task Force.

(b) There is a great deal of apathy on the part of parents in Florida regarding the need for increased drug education.

(c) The supply of cocaine continues to be enormous despite international and domestic efforts to contain it.

(d) The South Florida law enforcement community needs additional assistance in the areas of intelligence, buy money and the forefeiture system.

Some recommendations made by the South Florida witnesses were:

(a) Improvement in the cooperation between the federal agencies and Florida's local and state narcotics agencies.

(b) Review of the present forfeiture system which could be improved to assist communities in sharing seized assets. Additional buy money should also be made available.

(c) Improvements in the EPIC system should be made to ensure that local law enforcement personnel obtain intelligence in a timely manner.

(d) Establishment of a statewide drug education program.

Texas.—Members of the Texas panel informed the Select Committee that:

(a) Drug abuse and trafficking continue to increase at an alarming rate in the Gulf Coast area.

(b) Inhalant abuse has become a serious problem among Hispanic youth.

(c) No statewide drug abuse education program exists in Texas.

(d) There is an extreme shortage of treatment services in Texas. 700,000 individuals are presently seeking treatment.

(e) Depressed economic conditions in South Texas have exacerbated the drug situation.

(f) The availability of Mexican brown heroin is increasing.

(g) There is a need for additional federal personnel and resources.

Recommending the following corrective actions, the Texas panel suggested that:

(a) Greater federal assistance needs to be channeled to the Gulf Coast region in the areas of law enforcement, treatment, and personnel to assist communities.

(b) U.S.-Mexican efforts to halt the increasing flow of Mexican brown heroin should be stepped up.

(c) The Hispanic population should be made an immediate target of increased education, outreach and assistance.

(d) A statewide drug education program should be put in place immediately.

CONCLUSIONS

The following conclusions have been developed:

After conducting the 1983 field hearings in New York City, Redding, California, West Palm Beach, Florida, Corpus Christi, Texas and Honolulu, Hawaii after conducting three hearings in Washington, D.C. (April 10th follow-up hearing, the May 22 hearing on Interdiction Strategies and the June 26th hearing on Treatment and Prevention) in 1984, and after the Select Committee's local and national law enforcement conferences in South Florida and Washington, the following conclusions have been drawn:

1. The narcotics problem is worsening despite increased federal, state and local detection, interdiction and eradication efforts. Supplies of narcotics are increasing, prices have decreased, and narcotics have become available to segments of the American population previously untouched by drug abuse. Every section of the nation is adversely affected by narcotics trafficking and drug abuse.

2. The federal government is simply unable at this time, to effectively combat the increasing flow of narcotics into our nation. Present resources, strategies and commitment on the part of the federal government have not halted the traffic across our borders, into ports or through air routes.

3. The narcotics problem is basically an international problem that demands an international solution if narcotics are to be stopped at their source. Interdiction alone has not and cannot address the narcotics supply problem.

4. The present federal commitment by way of funding, resources and leadership is not adequate in the areas of prevention, education and treatment.

5. The need for comprehensive drug abuse education programs is evident as drug-related crimes, social problems and narcotics abuse increase. Education must begin early in a child's schooling, as drug education is widely recommended as the most cost-effective prevention tool available to all communities and all states.

6. The Federal Government has not been successful in working with State and local law enforcement officials towards the elimination of the narcotics abuse and trafficking problems across the nation. While cooperation in some locations is satisfactory, law enforcement officials have generally expressed frustration and concern over the lack of federal personnel, resources and equipment available to assist them in their narcotics programs. While public statements have been made by the federal government indicating that cooperation, communication and coordination with local law enforcement agencies are realities, local enforcement agencies deny this.

7. Urban and border areas of the nation are suffering most from the influx of narcotics into local communities.

8. Drug traffickers have so far been able to shift their trafficking patterns to elude detection and interdiction where the federal government has increased its efforts—such is the case in South Florida where traffickers have shifted operations to the Gulf Coast region to avoid detection and interdiction.

9. There are not enough judges, prosecutors or prisons to effectively handle the narcotics case load resulting from increased law enforcement success.

10. While personnel, equipment and resources are critical to a successful law enforcement effort, such factors are meaningless without sound intelligence, and without the wherewithal to obtain and analyze such intelligence.

11. While many state and local treatment, prevention and education providers welcome the flexibility that the ADMS Block Grant has offered them, the attendant loss of federal funding has had a negative effect on their ability to deliver quality services to those in need.

12. Parents groups are participating in drug awareness and prevention efforts, but such widespread parent participation is not enough to stop the increasing use of narcotics among young people. Such activism must be accompanied by increased federal support to local communities to join in this effort.

13. The Department of Defense is not participating as fully as the Congress intended when amendments were made to the posse comitatus statute in an effort to enable DoD to assist civil law enforcement authorities with narcotics detection and interdiction operations.

14. The problem of domestically cultivated marihuana is increasing especially in the Pacific Northwest and Hawaii. Cultivation and trafficking of marihuana have placed extraordinary strains on the local law enforcement communities who deal with these problems on a daily basis.

15. Treatment facilities are overburdened, understaffed, and underfunded as they attempt to meet the demands of increasing numbers of clients seeking assistance. The problem has been exacerbated by the greatly increased availability of cocaine which has adversely affected every state in the nation.

16. As law enforcement efforts meet with success (i.e., New York's Operation Pressure Point) treatment centers are besieged with requests for admissions from addicts and abusers. In many cases they do not have available the resources needed to accommodate the increased demand for service delivery.

17. There is a divergence of opinion about the scope and nature of drug abuse in this nation. The federal government, some experts charge, have minimized the extent of drug abuse, particularly among young people.

18. Methadone continues to be a fairly controversial, though effective modality in the treatment of heroin addiction.

19. Not enough research is being conducted by the federal government into the causes and treatment of narcotics addiction.

RECOMMENDATIONS

INTERNATIONAL

1. The Secretary of State should begin and continue a dialogue with the Foreign Ministers of drug producing nations on drug crop control and eradication efforts.

2. The U.N. Ambassador should begin a regular dialogue with the other U.N. representatives regarding drug eradiction and control.

3. The President should stress to all of our Ambassadors to the drug-producing nations, the importance of bringing the narcotics plague under control and that drug-related issues should be top priority on the Ambassadors' agendas.

4. Increased cooperation from the international community with regard to contributions to the United Nations Fund for Drug Abuse Control (UNFDAC) must be pursued.

5. Since drug producing nations are also becoming consuming nations, there is a need to emphasize this problem in our diplomatic relations with these nations.

6. Long-range drug planning and strategies must be developed and implemented.

7. A central Federal coordinator with access to the President must be established.

8. In view of the fact that the supply of Mexican heroin has shown a marked increase in recent years, the State Department should assist the Government of Mexico in developing the capability to survey the extent of opium and marihuana production in its territory via high altitude aircraft or satellite.

9. The narcotics problem must be elevated to a higher priority in the programs and policies of the Administration.

LAW ENFORCEMENT

The Select Committee recommends close cooperation with the National Alliance of State Drug Enforcement Agencies to see that the eight point program passed at the July, 1982 Annual Meeting of the Southern Governors Association is fully implemented in every state. The eight point program is:

1. Increased educational efforts, including the establishment of a Blue Ribbon Commission in each state and a federally sponsored national education program.

2. Intensified eradication and interdiction, including military/naval assistance to state and local governments, focusing on the destruction of drugs at their source, foreign or domestic, and on an increased military commitment to the interdiction of drugs being imported by air or by sea.

3. National reaction encouraging the continuation of the South Florida Task Force and the twelve regional Task Forces.

4. The full development and implementation of a centralized information and intelligence data base, combining and coordinating data from local, state, multi-state and federal sources.

5. Concerted street enforcement activity urging stronger support for local law enforcement agencies' drug control personnel and equipment.

6. Standard legislation, to be developed in each State and through a national committee formed for this purpose.

7. Greater prosecutorial commitment, with the same priority given to drug cases as to other priority areas.

8. Coordination of the efforts of local agencies to pool information and resources for maximum effort.

Additional recommendations endorsed by the Select Committee regarding law enforcement issues includes:

1. Review of the forfeiture laws with an eye towards equalizing the treatment of state/local agencies with the federal government in the allocation of benefits derived from seized assets.

2. Expanding the capabilities of the El Paso Intelligence Center to enable local law enforcement officials to obtain timely intelligence.

TREATMENT, EDUCATION, PREVENTION

1. The Department of Education needs to more aggressively pursue and promote drug education and prevention programs at all levels in the nation's schools. The School Team Approach, while meeting with success in various school districts, simply is not sufficient to meet the needs of millions of school age children who would benefit from federal education and prevention programs.

2. Drug education and prevention programs should begin at an early age. By the time students reach the seventh grade (at which time the School Team Approach training is put into effect) most students have been exposed to drugs, and have set attitudes about the pleasures and danger of drug use.

3. NIDA's data on drug use among students should be further refined to include target area populations and the use of narcotics by the population (i.e., students in urban areas, such a New York City), since many pockets of drug abusing populations exist, and are not accurately reflected in NIDA's national statistics.

4. Additional federal funding needs to be allocated to areas of greatest need for the purposes of education, prevention and treatment.

5. NIDA should continue its worthwhile media campaigns and other work with corporations and individuals in an effort to bring public attention to the problems of drug abuse, but this effort and other public statements should not be substitutes for working level activities, such as the publication of adequate numbers of publications for schools, the establishment of workable school programs for young students, and the publication of adequate supplies of pamphlets, posters, etc., for use by parents groups.

6. The Select Committee on Narcotics should conduct an indepth hearing into the Methadone Maintenance issue. Periodic evaluation of current treatment modalities should be made by the Select Committee in order to keep Members of Congress up to date on state-of-the-art treatment issues and priorities.

APPENDIX A: THE SOUTH FLORIDA LAW ENFORCEMENT CONFERENCE SURVEY

SOUTH FLORIDA NARCOTICS LAW ENFORCEMENT CONFERENCE SURVEY

The Select Committee on Narcotics Abuse and Control prepared a survey, the results of which would provide background material for the attendees of the South Florida Narcotics Law Enforcement Conference to be held in West Palm Beach on May 14, 1984. The survey questionnaire was sent to 100 South Florida law enforcement agencies who were asked to evaluate Federal cooperation and assistance with respect to a variety of drug law enforcement objectives. They also were asked to identify needs for improved assistance both from and to Federal agencies.

The relevance of Federal drug law enforcement objectives to their own agency objectives was explored, and the respondents was asked to evaluate the impact of Federal and State cooperative efforts as well as their own solo drug law enforcement operations.

The survey also solicited the respondents' recommendations for improving drug law enforcement policies and strategies.

Forty-two (42) of the 100 agencies solicited returned completed questionnaire forms. This report summarizes the responses received.

SUMMARY

Some of the more important conclusions that may be reached as a result of the survey are that most of the law enforcement officials who responded believe that:

The Federal South Florida Task Force is considerably less cooperative with them than are the individual Federal law enforcement agencies and state and intrastate narcotics enforcement groups.

South Florida law enforcement agencies feel most a need for improved cooperation and assistance and intelligence and information sharing. In turn, they believe that they have valuable information and intelligence of a localized or specialized nature that Federal agencies could make better use of.

Although some Federal agencies accept State and local information and intelligence, as well as other types of cooperation and assistance, the lack of feedback from Federal sources is a major irritant to the Florida agencies.

The respondents believe that the South Florida Task Force has had little, if any, positive impact for the attainment of their drug law enforcement objectives. The impact of individual Federal agency cooperation and assistance, as well as that from State and local agencies has had somewhat more of a positive effect; but agencies acting alone seem to have the most impact, albeit still on a rather low level.

Florida priorities should be placed upon improvement of interagency intelligence and information communication, improved funding for law enforcement personnel, and technical support. There was a high level of agreement that use of the Florida National Guard for drug law enforcement support should be a very low priority.

Federal priorities should be to improve intelligence and information communication with State and local agencies; training State and local police and prosecutors in drug law enforcement and prosecution; technical and personnel support to State and local agencies; and increased priority for narcotic and narcotic-related prosecution.

Most agencies agree that they have insufficient budget and personnel to properly carry out their drug law enforcement responsibilities.

ASSESSMENT OF COOPERATION RECEIVED

The first group of questions asked the respondents to evaluate the cooperation and assistance received from the Federal South Florida Task Force on Crime, State and intrastate narcotics groups, and seven Federal agencies that are involved in drug law enforcement. They were asked to evaluate each agency with respect to six functions.

An index of cooperation was derived from the number of favorable and unfavorable responses. A score of 100 would represent only favorable responses, and a score of 0 would represent only unfavorable ones. The following tables provide the indices for each agency and for each of the six functions.

Index of agency cooperativeness

Bureau of Alcohol, Tobacco and Firearms	79
U.S. Coast Guard	77
U.S. Customs Service	71
Federal Bureau of Investigation	68
State and Intrastate Narcotics Groups	67
Drug Enforcement Administration	65
Internal Revenue Service	62
Immigration and Naturalization Service	53
Federal South Florida Task Force	24

BATF was rated highest in overall cooperativeness, with the Coast Guard a close second. On the other hand the Federal South Florida Task Force was rated clear and away the least cooperative.

ASSESSMENT OF COOPERATION BY FUNCTION

	All Federal agencies	State and intrastate agencies
Exchange of intelligence/information	61	70
Joint operations	53	63
Technical assistance availability	68	79
Training availability	66	65
Equipment availability	64	62
Tactical/operational support	64	92
Overall average	63	72

Overall cooperation with State and intrastate agencies is markedly superior to that available from Federal sources. Federal cooperation falls behind in the areas of tactical and operational support, joint operations, exchange of intelligence/information and technical assistance availability. Federal and State/intrastate cooperation in making training and equipment available appear to be at the same level.

KINDS OF ASSISTANCE NEEDED

The need for information sharing and better communication between Federal and Florida agencies was overwhelmingly cited by the respondents.

Number of requests

Information/communications	19
Funding and/or buy money	8
Equipment	6
Investigative or technical assistance	5
Training	4
Regular liaison	3
Manpower (unspecified)	3
Spanish speakers for wire surveillance	1
Storage/control of seized assets	1
Sharing of seized assets	1
Coordination of tactical and strategic efforts	1

Fourteen of the respondents who state that they received Federal assistance, stated that it needed improvement. The needs for such improvement included:

Better liaison/information exchange/intelligence; involvement of local area/people—regular intelligence/liaison meetings on a regional basis.

Increased funding and training.

Greater availability of specialized equipment.—Establishment of an equipment pool from which local agencies could borrow.

Federals should involve/use local agencies in joint operations where local jurisdictions are involved or affected.

Federals should share seized assets obtained in joint operations.

Larger agencies (PDs) get all the attention. Pay more attention to smaller departments.

AVAILABILITY OF STATE-LOCAL ASSISTANCE TO FEDERAL EFFORTS

The respondents were asked what kind of assistance they were prepared to offer the Federal effort. Twenty-nine respondents offered to share localized and other specialized intelligence with Federal agencies, six offered some sort of manpower assistance, four offered "cooperation and assistance". Also there were offers of logistic support, locally owned equipment, providing arrest backups, and conduct of vehicular traffic checks. When asked if such assistance had been offered and accepted, the respondents replied as follows:

Has such assistance or cooperation been:

Offered?	Yes 33	No 7
Accepted?	Yes 28	No 8
Utilized?	Yes 21	No 11
Have you received appropriate feedback from the using agency?	Yes 16	No 20

Comments to this question suggest that when assistance is offered and accepted, the lack of feedback from the using agency becomes a major irritant.

IMPORTANCE OF LAW ENFORCEMENT OBJECTIVES

Five types of drug law enforcement objectives were presented to the respondents, and they were asked to assess them in terms of importance to their agency. The results are listed below, on a scale of 1 to 5, with five being most important.

Interdiction of drug smuggling	3.5
Penetration, apprehension/prosecution of drug trafficking organizations	3.2
Apprehension of "street peddlers"	3.4
Reduction/elimination of drug related violent crimes	3.1
Investigation/elimination of money laundering	1.7

These results suggest all objectives except elimination of money laundering have roughly equal priority. As the following table shows, there is overwhelming agreement that the street peddlers should be handled locally, but nearly a third of the respondents would agree that it could be handled on a Federal/State/local joint effort. There is a strong feeling that all the other objectives also should be targeted on a joint operations basis.

Who should have primary responsibility?

	State or local	Federal operation	Joint Fed/State local operation
Interdiction of drug smuggling	0	24	76
Penetration, apprehension/prosecution of drug trafficking organizations	3	5	92
Apprehension/prosecution of "street peddlers"	77	0	23
Reduction/elimination of drug-related violent crimes	53	0	47
Investigation/elimination of money laundering	0	33	67

EFFECTIVENESS OF LAW ENFORCEMENT EFFORTS

Respondents were then asked to give their impression of the impact of law enforcement efforts to date upon each of the listed objectives. Reponses were scored: Major improvement, +2; Minor improvement +1; No impact, 0; and Worse, −1. The average score by objective and by type of operation follow:

Objective:	Average score
Interdiction of drug smuggling	0.45
Penetration, apprehension of drug trafficking organizations	.44
Apprehension/prosecution of street peddlers	.41
Reduction/elimination of drug-related violent crime	.31
Money laundering investigation	−.20
Type of operation:	
Agency operating solo	.54
Cooperative with other States and local agencies	.46
Federal South Florida Task Force Operations	.11
Non-Task Force Federal Assistance	.35

These figures suggest that the law enforcement efforts are having little effect. The smuggling interdiction, penetration of trafficking organizations and arrest of street peddlers have about the same impact, positive, but less than a minor improvement". There has been little, if any, impact on drug-related violent crimes, and any perceived impact on money laundering has tended to be negative.

The greatest degree of success has been with the agencies operating solo, and to lesser extent in cooperation with other State and local agencies. Cooperation with Federal agencies has had a minor impact, but Federal South Florida Task Force operations are perceived as having no impact on the ability of local law enforcement agencies to reach their drug law enforcement objectives.

POLICY—STRATEGY RECOMMENDATIONS

The respondents were then asked if they felt that it would be advantageous to have a single official to coordinate all Federal drug law enforcement activities. Half of the 40 who responded to this question said yes. When asked if a single State official should coordinate all State drug law enforcement activities, 57% agreed that it would be a good idea.

The respondents also were asked to rank their priorities for State and Federal approaches to the drug law enforcement problem. The following tables list the highest and lowest ranking priorities for the Florida and the Federal governments. The number in parenthesis after each item is the number of respondents who chose it as highest (left column) or lowest (right column) priority.

Priority Ratings for the Florida State Government

Highest priorities (Rank 1 or 2)	Lowest priorities (Rank 7, 8 or N/A)
More/better interagency intelligence/information between Florida law enforcement agencies (16)	More Florida National Guard Support (30)
Funding for more law enforcement personnel (15)	Additional prevention/treatment funding (15)
Funding for technical support (13)	Centralized Florida narcotic law enforcement authority (10)

Priority Ratings for the Federal Government

Highest priorities	Lowest priorities
Improve intelligence/information exchange with State and local agencies (23)	Assure funding for more Federal prosecutors and judges to prosecute narcotics cases (11)
Federal training for State & local police and prosecutors on narcotics law enforcement and prosecution (13)	Central coordination of all Federal/State/local narcotics law enforcement (7)
Central coordination of all Federal/State/local narcotics law enforcement (12)	More "Operation Everglades" type of operations (7)
Technical support or personnel resource availability to State and local programs (12)	Technical support or personnel resource availability to State and local programs (5)

Priority Ratings for the Federal Government—Continued

Highest priorities	Lowest priorities
Assure higher prosecution priorities for narcotic and narcotic-related violations (11)	

It is quite clear that the greatest expressed need is for more or better communications and intelligence, not only between Federal and State/local agencies, but between the State and local agencies themselves. There is a feeling that the State ought to provide more funding for law enforcement personnel and for technical support. There seems to be little support for the utilization of the Florida National Guard to assist in drug law enforcement.

The Federal government is asked to provide training, technical support and personnel resources to the respondents.

There appear to be a number of ambiguities in the above priority ratings. There is a wish for higher prosecution priorities for narcotic and narcotic related crimes, but funding for prosecutors and judges to prosecute those cases is given the lowest priority. Although 57 percent of the respondents to a previous question endorsed the idea of a centralized Florida narcotic law enforcement authority, that option had one of the three lowest priorities for the State government. Similarly, central coordination of all Federal, State and local narcotics law enforcement received one of the highest ranking priorities (12 votes) and one of the lowest ranking priorities (7 votes). Another option that ranked in both the highest and lowest priority lists was the provision of Federal technical support or personnel resources to State and local programs.

Although one of the items with the lowest State priorities was for additional funding for prevention and treatment, only one of the respondents rates drug abuse programs as being of no use. Nine others rated prevention programs as "somewhat useful", and the remaining 32 felt them to be "very useful".

About the same degree of usefulness was expressed for citizen watch programs: 32 very useful, and 10 somewhat useful.

RESOURCE AVAILABILITY

Personnel

When asked if their agency has on board sufficient enforcement personnel to effectively meet its drug law enforcement responsibilities, 64 percent said they need more personnel, and another 12 percent stated they had barely sufficient personnel. 12 percent had sufficient, or more than an adequate number of personnel aboard.

Funding

When asked if their operating budget was sufficient for meeting their drug law enforcement responsibilities, 50 percent said their funding was insufficient, 24 percent had barely sufficient funding, and the remaining 26 percent had adequate or more than adequate funding.

When asked to describe the allocation of funds to their agencies for drug law enforcement, two said there were too many strings attached to Federal funds, and four said the same for funds from State sources. Two felt there were guidelines, but no restrictions for Federal fund expenditures, and one felt the same way about State source funds. No agency checked "No Restrictions" for either Federal or State source funding. Interestingly enough 38 of the 42 agencies indicated that had no Federally provided funds this past year, and 39 said they had no State source funding during the same time.

APPENDIX B: STATE AND LOCAL NARCOTICS LAW ENFORCEMENT CONFERENCE SURVEY

STATE AND LOCAL NARCOTICS LAW ENFORCEMENT CONFERENCE SURVEY

The Select Committee on Narcotics Abuse and Control prepared a survey, the results of which would provide background material for the attendees of the State and Local Narcotics Law Enforcement Conference to be held in Washington, D.C. on September 18, 1984. The survey questionnaire was sent to 100 State and local law enforcement agencies who were asked to evaluate Federal cooperation and assistance with respect to a variety of drug law enforcement objectives. They also were asked to identify needs for improved assistance both from and to Federal agencies.

The relevance of Federal drug law enforcement objectives to their own agency objectives was explored, and the respondents were asked to evaluate the impact of Federal and State cooperative efforts as well as their own solo drug law enforcement operations.

The survey also solicited the respondents' recommendations for improving drug law enforcement policies and strategies.

Forty-three (43) of the 100 agencies solicited returned questionnaire forms. Regrettably, due to an error in printing and assembly, some of the questionnaires sent out were incomplete. Twenty-nine (29) of the 43 returned were complete and are the ones which are summarized in this report.

SUMMARY

Some of the more important conclusions that may be reached as a result of the survey are that most of the law enforcement officials who responded believe that:

The Federal Organized Crime Task Force (OCDE) and the National Narcotics Border Interdiction System (NNBIS) are considerably less cooperative with them than are the individual Federal law enforcement agencies, and the agencies as a group are less cooperative than the state and intrastate narcotics enforcement groups and the DEA/State/local task forces.

The most pressing needs for Federal assistance to State and local agencies appear to be for funding to support drug law enforcement operations and for improved exchanges of information and intelligence. They believe that they have valuable information and intelligence of a localized or specialized nature that Federal agencies could make better use of.

Although some Federal agencies accept State and local information and intelligence, as well as other types of cooperation and assistance, the lack of appropriate feedback from some Federal agencies is an irritant to the State local agencies.

State and local priorities should be placed upon improvement of interagency intelligence and information communication, improved funding for law enforcement personnel, and technical support. There was a high level of agreement that use of the National Guard for drug law enforcement support should be either a very low priority or not considered at all.

Federal priorities should be to improve intelligence and information communication with State and local agencies; technical and personnel support to State and local agencies; and centralized coordination of all Federal/State and local drug law enforcement efforts.

Almost all of the agencies agree that they have insufficient budget and personnel to properly carry out their drug law enforcement responsibilities.

ASSESSMENT OF COOPERATION RECEIVED

The first group of questions asked the respondents to evaluate the cooperation and assistance received from the various Federal Task Forces on Crime, State and intrastate narcotics groups, and seven Federal agencies that are invovled in drug law enforcement. They were asked to evaluate each agency with respect to six functions.

An index of cooperation was derived from the number of favorable and unfavorable responses. A score of 100 would represent only favorable responses, and a score of 0 would represent only unfavorable ones. The following tables provide the indices for each agency and for each of the six functions.

Index of agency cooperativeness

U.S. Coast Guard	93
Drug Enforcement Administration	87
U.S. Customs Service	83
DEA/State-Local Task Forces	82
State and Intrastate Narcotics Enforcement Groups	81
Bureau of Alcohol, Tobacco and Firearms	80
Organized Crime Drug Enforcement Task Force	62
Federal Bureau of Investigation	60
Internal Revenue Service	54
National Narcotics Border Interdiction System	45
Immigration and Naturalization Service	30

The Coast Guard and DEA rank as the most cooperative agencies, closely followed by the Customs Services, the DEA/State/Local Task Forces and BATF. The next cluster consists of OCDE and FBI. The latter's cooperativeness is felt to be deficient in the area of sharing of intelligence and information. IRS, NNBIS and INS appear to be seriously unresponsive according to the survey respondents ratings.

ASSESSMENT OF COOPERATION BY FUNCTION

As will be noted in the next table, when the agencies are clustered into three categories, the older cooperative arrangements such as the DEA/State/Local Task Force and State and Intrastate narcotic enforcement groups are ranked as most cooperative. Individual Federal agencies, although varying widely, are the next best group; and the newer groups such as NNBIS and OCDE have yet to be recognized as being sufficiently cooperative by State and local law enforcement agencies.

[In percent]

	State & Intrastate DEA/State/Local TF	Federal agencies	OCDE NNBIS	All
Joint operations	87	80	64	79
Tactical/operational support	82	77	50	73
Training availability	90	85	44	71
Technical assistance	80	71	59	70
Intelligence/information exchange	81	61	54	64
Equipment availability	69	56	48	57
Overall average	82	72	53	69

Joint operations, operational support and training availability appear to be the areas in which cooperation is best, while sharing of intelligence and equipment is less satisfactory.

The correlation between the rankings given to the first two groups in this table is high and positive (.93), indicating that the respondents tend to perceive them in the same way in terms of their cooperativeness. However, correlations between each group and the OCDE-NNBIS group are moderate and negative (−.20, −.26), suggesting that cooperation issues with the two members of the third group differ in a major way from issues affecting the other groups. The nature of these differences in relationships of OCDE and NNBIS with state and local law enforcement agencies probably should be examined in some detail.

KINDS OF ASSISTANCE NEEDED

Most respondents stated a need for improved funding, information, equipment or some combination thereof. Specifically cited were:

	Number of requests
Greater availability of funding for operations, information, equipment	10
Improved exchange of information, intelligence, communication, liaison	10
Better equipment availability	8
Federal manpower, investigative support, technical assistance	8
Other: Prosecutorial support, out-of-state contacts	3

Specific recommendations for the Federal agencies included:

Many OCDE cases need not be so designated—they are—or should be local cases.

Provide support funding for drugs other than marijuana eradication.

Develop better two-way communications between Federal agencies and State/local agencies.

Federal agencies should provide for loan of technical equipment—or otherwise make equipment more easily available to State/local agencies.

Provide for exchange of supervisors.

Improve intelligence exchange methods—now inhibited by agency policies, privacy act, FOIA; etc. Hold monthly intelligence briefings—liaison officers—quarterly meetings between State/Local and DEA, FBI, IRS supervisors.

There is an urgent need for law enforcement to be as organized as organized crime is.

Additional DEA presence should be provided in our States.

Federal agencies need to develop a cooperative attitude. DEA and ATF cooperation tends to be good, but it appears to be a one-way street for FBI and IRS. Intelligence and information exchange should be reciprocal.

AVAILABILITY OF STATE/LOCAL ASSISTANCE TO FEDERAL EFFORTS

The respondents were asked what kind of assistance they were prepared to offer the Federal effort. Twenty-six respondents offered to share localized and other specialized intelligence with Federal agencies, twenty-four offered some sort of manpower assistance, four offered "cooperation and assistance." Also there were offers of locally owned equipment, training, and experience in special investigative areas. When asked if such assistance had been offered and accepted, the respondents replied as follows:

Has such assistance or cooperation been:		
Offered?	Yes 28	No 1
Accepted?	Yes 28	No 1
Utilized?	Yes 28	No 1
Have you received appropriate feedback from the using agency?	Yes 21	No 7

Comments to this question suggest that when assistance is offered and accepted, the lack of feedback from the using agency becomes an irritant. DEA and ATF were frequently commended, but FBI and IRS were often cited as failing to provide appropriate feedback—or even thank you.

IMPORTANCE OF LAW ENFORCEMENT OBJECTIVES

Five types of drug law enforcement objectives were presented to the respondents, and they were asked to assess them in terms of importance to their agency. The results are listed below, on a scale of 1 to 5, with five being most important.

Interdiction of drug smuggling	3.0
Penetration, apprehension/prosecution of drug trafficking organizations	5.0
Apprehension of "street peddlers"	3.0
Reduction/elimination of drug-related violent crimes	2.5
Investigation/elimination of money laundering	1.5

Who should have *primary* responsibility?

[In percent]

	State or local	Federal operation	Joint Federal-State-local operation
Interdiction of drug smuggling	0	41	59
Penetration, apprehension/prosecution of drug trafficking organizations	4	0	96
Apprehension/prosecution of "street peddlers"	93	0	7
Reduction/elimination of drug-related violent crimes	3	18	79
Investigation/elimination of money laundering	22	6	72

The results in the preceding two tables suggest that penetration, apprehension/prosecution of drug trafficking organizations be given top priority as a joint Federal/State/local activity. Second priority should be shared by smuggling interdiction and street peddler apprehension, with the latter being primarily a State and local effort and the force of Federal effort with State and local assistance as needed. It is interesting to note that most of the respondents would yield reduction of drug-related violent crime to Federal/State/local task forces rather than handling on a State or local level.

EFFECTIVENESS OF LAW ENFORCEMENT EFFORTS

Respondents were then asked to give their impression of the impact of law enforcement efforts to date upon each of the listed objectives. Responses were scored: Major improvement, +2; Minor improvement +1; No impact, 0; and Worse, −1.

The results were normalized on a scale of 0 to 100 in which 0 is no improvement and 100, be given if all respondents noted a major improvement. The average scores follow:

	Agencies operating solo	Cooperation with other State/local agencies	Federal task force operations	Nontask force Federal assistance
Objective:				
Interdiction of drug smuggling	40	43	45	50
Penetration, apprehension of drug tafficking organizations	53	53	54	43
Apprenhension/prosecution of street peddlers	89	45	13	23
Reduction/elimination of drug-related violent crime	44	38	46	24
Money laundering investigation	25	32	47	30

The greatest success appears to be of agencies apprehending/prosecuting street peddlers. Penetration, and apprehension of drug trafficking organizations by agencies acting alone, or in concert with other agencies appear to be moderately successful as does interdiction of drug smuggling.

Both task force and solo operations appear to have had modest success in reducing drug-related violence, and the task force seems to be the only alternative showing moderate success in money laundering investigation. Several agencies who checked "other" included marijuana eradication and diversion of legal substances. Both of these types of activities were very successful when performed by the agency alone or in cooperation with other non-Federal agencies.

POLICY—STRATEGY RECOMMENDATIONS

The respondents were then asked if they felt that it would be advantageous to have a single official to coordinate all Federal drug law enforcement activities. Seventy-eight percent of the 29 who responded to this question said yes. When asked if a single State official should coordinate all State drug law enforcement activities, 81 percent agreed that it would be a good idea.

The respondents also were asked to rank their priorities for State and Federal approaches to the drug law enforcement problem. The following tables list the highest and lowest ranking priorities for State and the Federal governments. The number in parenthesis after each item is the number of respondents who chose it as highest (left column) of lowest (right column) priority.

Priority Ratings for State Governments

Highest priorities (Rank 1 or 2)	Lowest priorities (Rank 7, 8 or N/A)
Funding for more law enforcement personnel (21)	More National guard Support (15)
Interagency intelligence/information between law enforcement agencies in my state (10)	Additional prevention/treatment funding (13)
Funding for technical support to law enforcement agencies (10)	Legislation to stiffen penalties for narcotics and narcotics related violations (12)

Priority Ratings for the Federal Government

Highest priorities	Lowest priorities
Improve intelligence/information exchange with State and local agencies (19)	Assure funding for more Federal prosecutors and judges to prosecute narcotics cases (16)
Technical support or personnel resource availability to State and local programs (19)	Central coordination of all Federal/State/local narcotics law enforcement (11)
Central coordination of all Federal/State/local narcotics law enforcement (9)	Federal training for State and local police and prosecutors on narcotics law enforcement and prosecution (9)

It is quite clear that the greatest expressed need is for more or better communications and intelligence, not ony between Federal and State/local agencies, but between the State and local agencies themselves. There is a feeling that the States sought to provide more funding for law enforcement personnel and for technical support. There seems to be little support for the utilization of the National Guard to assist in drug law enforcement.

The Federal government is asked to provide training, technical support and personnel resources to the respondents.

There appears to be some ambiguities in the above priority ratings. There is a wish for higher prosecution priorities for narcotic and narcotic related crimes, but funding for prosecutors and judges to prosecute those cases is given the lowest priority. Another option that ranked in both the highest and lowest priority was the provision of a central coordination of Federal/State and local drug law enforcement and prosecution—a proposition favored by 78% of the respondents.

Although one of the items with the lowest State priorities was for additional funding for prevention and treatment, only one of the respondents rated drug abuse programs as being of no use. Three others rated prevention programs as "somewhat useful," and the remaining 25 felt them to be "very useful".

A lesser degree of usefulness was expressed for citizen watch programs: 16 very useful, and 13 somewhat useful. None felt it to be of no use.

RESOURCE AVAILABILITY

Personnel

When asked if their agency has on board sufficient enforcement personnel to effectively meet its drug law enforcement responsibilities, 72% said they need more personnel, and the remaining 28% stated they had barely sufficient personnel. None agreed that they had sufficient, or more than an adequate number of personnel aboard.

Funding

When asked if their operating budget was sufficient for meeting their drug law enforcement responsibilities, 86% said their funding was insufficient, and the remaining 14% had barely sufficient funding for drug law enforcement activities.

When asked to describe the allocation of funds to their agencies for drug law enforcement, eleven said there were too many strings attached to Federal funds, and one said the same for funds from State sources. Nine felt there were guidelines, but no restrictions for Federal fund expenditures, and nineteen felt the same way about

State source funds. No agency checked "No Restrictions" for either Federal or source funding but four did for State source funding. Interestingly enough nine of the 29 agencies indicated that they had no Federally provided funds this past year (except for the DEA marijuana eradication project), and 6 said they had no State source funding during the same period.

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